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No. 44] NEW DELHI, OCTOBER 28—NOVEMBER 3, 2007, SATURDAY/KARTIKA 6—KARTIKA 12, 1929

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 22 अक्टूबर, 2007

का.आ. 3193.—केंद्रीय सरकार एतद्वारा दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 25 की उप-धारा (1-ए) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय अन्वेषण ब्यूरो के अभियोजन अधिकारी श्री अभिलाष कुमार को किसी राज्य अथवा संघ शासित क्षेत्र में सक्षम अधिकारिता वाले न्यायालयों में दिल्ली विशेष पुलिस स्थापना द्वारा संस्थित मामलों के संचालन के लिए सहायक लोक अभियोजक के रूप में नियुक्त करती है।

[सं. 225/40/2007-एवीडी-II]

चंद्र प्रकाश, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 22nd October, 2007

S.O. 3193.—In exercise of the powers conferred by sub-section (1-A) of Section 25 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri Abhilash Kumar, Prosecuting Officer of the Central Bureau of Investigation as Assistant Public Prosecutor for conducting cases instituted by Delhi Special Police Establishment in the courts of competent jurisdiction in any State or Union territory.

[No. 225/40/2007-AVD-II]

CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

सीमा एवं केन्द्रीय उत्पाद शुल्क के आयुक्त का कार्यालय, हैदराबाद-I, आयुक्तालय

हैदराबाद, 19 अक्टूबर, 2007

सं. 1/2007-सीमा शुल्क (एन.टी.)

का.आ. 3194.—वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली के दिनांक 01-07-1994 की अधिसूचना सं. 33/94-सीमा शुल्क (एन.टी.) एवं दिनांक 30-06-2004 की अधिसूचना सं. 83/2004-सीमा शुल्क(एन.टी.) के अनुसार सीमा शुल्क अधिनियम, 1962 की धारा 9 के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए मैं आंध्र प्रदेश राज्य के मेदक जिले के रामाचन्द्रपुरम मंडल के कोल्लूर ग्राम को सीमा शुल्क अधिनियम, 1962 की धारा 9 के अधीन सीमित प्रयोजनार्थ भारत सरकार द्वारा अनुमोदित निर्यात-मुख्य उपक्रम स्थापित करने के लिए भण्डागार स्टेशन घोषित करता हूँ।

[फाइल सी.सं. VIII/20/16/2007-सीमा शुल्क तक. 3]

डॉ. एस. एल. मीणा, आयुक्त

MINISTRY OF FINANCE

(Department of Revenue)

OFFICE OF THE COMMISSIONER OF CUSTOMS & CENTRAL EXCISE, HYDERABAD-I, COMMISSIONERATE

Hyderabad, the 19th October, 2007

No. 1/2207-CUS. (N.T.)

S.O. 3194.—In exercise of the powers conferred under Section 9 of the Customs Act, 1962 delegated by Notification No. 33/94-Cus(N.T) dated 01-07-1994 and No. 83/2004-Cus(N.T) dated 30-06-2004 issued by the Ministry of Finance, Department of Revenue, New Delhi, I hereby declare KOLLUR VILLAGE, RAMACHANDRAPURAM MANDAL, MEDAK DISTRICT, ANDHRA PRADESH as a Warehousing Station under Section 9 of the customs Act, 1962 for the limited purpose of setting up of Export Oriented Units (EOU) as approved by the Government of India.

[File C. No. VIII/20/16/2007-Cus. Tech. 3]

Dr. S. L. MEENA, Commissioner

कार्यालय, मुख्य आयकर आयुक्त

जयपुर, 24 अक्टूबर, 2007

(सं. 04/2007-08)

का.आ. 3195.—आयकर नियम, 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 (1961 का 43 वां) की धारा 10 के खण्ड(23 सी) की उपधारा (vi) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, जयपुर एतद्वारा निर्धारण वर्ष 2005-06 एवं 2006-07 के लिए कथित धारा के उद्देश्य से "मै. टेक्नोक्रेट्स एण्ड मैनेजर्स सोसायटी फॉर एडवांस लर्निंग एण्ड ग्रामोथान, जयपुर" को स्वीकृति देते हैं।

बशर्ते कि समिति आयकर नियम 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 की धारा 10 के उपखण्ड(23 सी) की उप-धारा(vi) के प्रावधानों के अनुरूप कार्य करे।

[क्रमांक:मुआआ/अआआ/(समन्वय)/जय/10(23सी)(vi)/07-08/3354]

एस. सी. कपिल, मुख्य आयकर आयुक्त

OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX

Jaipur, the 24th October, 2007

(No. 04/2007-08)

S.O. 3195.—In exercise of the powers conferred by sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2CA of the Income-tax Rules, 1962 the Chief Commissioner of Income-tax, Jaipur hereby approves "M/s. Technocrats & Managers Society for Advanced Learning & Gramothan, Jaipur" for the purpose of said section for the A. Y. 2005-06 and 2006-07.

Provided that the society conforms to and complies with the provisions of sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 read with rule 2CA of the Income-tax Rules, 1962.

[No. CCIT/JPR/Addl.CIT (Coord.)/10(23C)(vi)/2007-08/3354]

S. C. KAPIL, Chief Commissioner of Income-tax

जयपुर, 24 अक्टूबर, 2007

(सं. 05/2007-08)

का.आ. 3196.—आयकर नियम, 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 (1961 का 43 वां) की धारा 10 के खण्ड (23 सी) की उपधारा (via) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, जयपुर एतद्वारा निर्धारण वर्ष एवं 2006-07 के लिए कथित धारा के उद्देश्य से “भगवान महावीर कैंसर हॉस्पिटल एण्ड रिसर्च सेंटर, जयपुर” को स्वीकृति देते हैं।

बशर्ते कि समिति आयकर नियम 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 की धारा 10 के उपखण्ड (23 सी) की उपधारा (via) के प्रावधानों के अनुरूप कार्य करे।

[क्रमांक : मुआआ/अआआ/(समन्वय)/जय/10(23सी)(via)/07-08/3355]

एस. सी. कपिल, मुख्य आयकर आयुक्त

Jaipur, the 24th October, 2007

(No. 05/2007-08)

S.O. 3196.—In exercise of the powers conferred by sub-clause (via) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2CA of the Income-tax Rules, 1962 the Chief Commissioner of Income-tax, Jaipur hereby approves “Bhagwan Mahaveer Cancer Hospital & Research Centre, Jaipur” for the purpose of said section for the A.Y. 2006-07.

Provided that the society conforms to and complies with the provisions of sub-clause (via) of clause (23C) of section 10 of the Income-tax Act, 1961 read with rule 2CA of the Income-tax Rules, 1962.

[No. CCIT/JPR/Addl.CIT(Coord.)/10(23C)(via)/2007-08/3355]

S. C. KAPIL, Chief Commissioner of Income-tax

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 30 अक्टूबर, 2007

का.आ. 3197.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5 ग और 5 घ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ दिनांक 1-4-2000 से संगठन नार्दन इंडिया टेक्सटाइल रिसर्च एसोसिएशन, गाजियाबाद (उ. प्र.) को निम्नलिखित शर्तों के अधीन ‘वैज्ञानिक अनुसंधान संघ’ के रूप में अनुमोदित किया गया है, अर्थात् :—

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान ‘संघ’ के लिए किया जाएगा ;
 - (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से सामाजिक विज्ञान अथवा सांख्यिकीय अनुसंधान में अनुसंधान करेगा ;
 - (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा।
 - (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित ऐसे विवरण की प्रति प्रस्तुत करेगा।
2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—
- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
 - (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
 - (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
 - (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
 - (ङ) उक्त नियमावली के नियम 5 ग और 5 घ के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 266/2007/फा. सं. 203/26/2006-आ.क.नि.-II]

रेनू जौहरी, निदेशक (आ.का.नि.-II)

(CENTRAL BOARD OF DIRECT TAXES)

New Delhi, the 30th October, 2007

S.O. 3197.—It is hereby notified for general information that the organization **Northern India Textile Research Association, Ghaziabad (UP)** has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5D of the Income-tax Rules, 1962 (said Rules) with effect from 1-4-2000 in the category of 'scientific research association' subject to the following conditions, namely :—

- (i) The sole objective of the approved 'scientific research association' shall be to undertake scientific research ;
 - (ii) The approved organization shall carry on the scientific research activity by itself ;
 - (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to sub-section (2) of section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act ;
 - (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.
2. The Central Government shall withdraw the approval if the approved organization :—
- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
 - (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
 - (c) fails to furnish its statement of donations received and amounts applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
 - (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
 - (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5D of the said Rules.

[Notification No. 266/2007/F. No. 203/26/2006/ITA-II]

RENU JAUHRI, Director (ITA.II)

नई दिल्ली, 30 अक्टूबर, 2007

का.आ. 3198.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5ङ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ दिनांक 1-4-2004 से संगठन हरि शंकर सिंघानिया, इलास्ट्रोमटर एंड टायर रिसर्च इन्स्टीट्यूट, राजस्थान को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगी 'अन्य संस्था' की श्रेणी में अनुमोदित किया गया है, अर्थात् :—

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा ;
 - (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अथवा सांख्यिकीय अनुसंधान में अनुसंधान करेगा ;
 - (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा ।
 - (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित ऐसे विवरण की प्रति प्रस्तुत करेगा ।
2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—
- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
 - (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
 - (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
 - (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
 - (ङ) उक्त नियमावली के नियम 5 ग और 5ङ के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा ।

[अधिसूचना सं. 265/2007/फा. सं. 203/63/2007-आ.क.नि.-II]

रेनू जौहरी, निदेशक (आ.क.नि.-II)

New Delhi, the 30th October, 2007

S.O. 3198.—It is hereby notified for general information that the organization **Hari Shankar Singhania Elastrometer & Tyre Research Institute, Rajasthan** has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5E of the Income-tax Rules, 1962 (said Rules) with effect from 1-4-2004 in the category of 'other Institution', partly engaged in research activities subject to the following conditions, namely :—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
 - (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
 - (iii) The approved organization shall maintain books of account and get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;
 - (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.
2. The Central Government shall withdraw the approval if the approved organization :—
- (a) fails to maintain books of account referred to in sub-paragraph (iii) of paragraph 1; or
 - (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
 - (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
 - (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
 - (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5E of the said Rules.

[Notification No. 265/2007/F. No. 203/63/2007/ITA-II]

RENU JAUHRI, Director (ITA-II)

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 19 अक्टूबर, 2007

का.आ. 3199.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में एतद्वारा निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अनुसूची में—

(क) शीर्षक 'मान्यताप्राप्त चिकित्सा अर्हता' [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत "एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा" के सामने, अंतिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :—

2	3
"सर्वेदनाहरण विज्ञान में डिप्लोमा"	डी.ए. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह ममता मेडिकल कालेज, खम्माम द्वारा जनवरी, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)।
"डाक्टर ऑफ मेडिसिन (सामुदायिक चिकित्सा)"	एम.डी. (सामुदायिक चिकित्सा) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह ममता मेडिकल कालेज, खम्माम द्वारा दिसम्बर, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)।
"डाक्टर ऑफ मेडिसिन (त्वचा विज्ञान, रति रोग और कुष्ठ रोग)"	एम.डी. (त्वचा विज्ञान, रति रोग और कुष्ठ रोग) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह ममता मेडिकल कालेज, खम्माम द्वारा दिसम्बर, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)।
"मास्टर ऑफ सर्जरी (विकलांग विज्ञान)"	एम.एस. (विकलांग विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह ममता मेडिकल कालेज, खम्माम द्वारा दिसम्बर, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)।

[illegible]

2	3
“विकलांग विज्ञान में डिप्लोमा”	डी.आर्थो. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह ममता मेडिकल कालेज, खम्माम द्वारा जनवरी, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)।
“प्रसूति एवं स्त्री विज्ञान में डिप्लोमा”	डी.जी.ओ. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह ममता मेडिकल कालेज, खम्माम द्वारा जनवरी, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)।
“डिप्लोमा इन चाइल्ड हेल्थ”	डी.सी.एच. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह ममता मेडिकल कालेज, खम्माम द्वारा दिसम्बर, 2005 में अथवा उसके पश्चात् प्रदान की गई हो)।
“मनोवैज्ञानिक चिकित्सा में डिप्लोमा”	डी.पी.एम. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह ममता मेडिकल कालेज, खम्माम द्वारा दिसम्बर, 2005 में अथवा उसके पश्चात् प्रदान की गई हो)।

(ख) शीर्षक ‘मान्यताप्राप्त चिकित्सा अर्हता’ [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत “ए.पी./एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा”, के सामने, अंतिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

2	3
“डाक्टर ऑफ मेडिसिन (त्वचा विज्ञान, रति रोग और कुष्ठ रोग)”	एम.डी. (त्वचा विज्ञान, रति रोग और कुष्ठ रोग) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह गांधी मेडिकल कालेज, सिकंदराबाद द्वारा जून, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)।
“डाक्टर ऑफ मेडिसिन (सूक्ष्म जीव विज्ञान)”	एम.डी. (सूक्ष्म जीव विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह गांधी मेडिकल कालेज, सिकंदराबाद द्वारा प्रदान की गई हो)।
“डाक्टर ऑफ मेडिसिन (न्यायिक चिकित्सा)”	एम.डी. (न्यायिक चिकित्सा) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह गांधी मेडिकल कालेज, सिकंदराबाद द्वारा 1986 में अथवा उसके पश्चात् प्रदान की गई हो)।
“डाक्टर ऑफ मेडिसिन (तंत्रिका विज्ञान)”	डी.एम. (तंत्रिका विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह आंध्र मेडिकल कालेज, विशाखापट्टनम द्वारा जून, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)।
“डाक्टर ऑफ मेडिसिन (एंडोक्रिनोलोजी)”	डी.एम. (एंडोक्रिनोलोजी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह आंध्र मेडिकल कालेज, विशाखापट्टनम द्वारा जून, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)।
“डाक्टर ऑफ मेडिसिन (शरीर क्रिया विज्ञान)”	एम.डी. (शरीर क्रिया विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह ए.एस.वी. मेडिकल कालेज, तिरुपति द्वारा, 1982 में अथवा उसके पश्चात् प्रदान की गई हो)।

(ग) शीर्षक ‘मान्यताप्राप्त चिकित्सा अर्हता’ [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत “स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा/एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा”, के सामने, अंतिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

2	3
“मेजिस्ट्रार चिरुर्गिएई (प्लास्टिक सर्जरी)”	एम.सी.एच. (प्लास्टिक सर्जरी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह गांधी मेडिकल कालेज, सिकंदराबाद द्वारा जनवरी, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)।

[सं. यू. 12012/70/2006-एमई (नीति-II)]

एस.के. मिश्र, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 19th October, 2007

S.O. 3199.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes following further amendments in the First Schedule to the said Act, namely :—

In the said Schedule,—

(a) against “NTR University of Health Sciences, Vijayawada”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last enter and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

(2)	(3)
“Diploma in Anaesthesiology”	DA (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after January, 2006).
“Doctor of Medicine (Community Medicine)”	MD (Community Medicine) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).
“Doctor of Medicine (Dermatology, Venereology & Leprosy)”	MD (Dermatology, Venereology & Leprosy) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).
“Master of Surgery (Orthopaedics)”	MS (Orthopaedics) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).
“Doctor of Medicine (Obst. & Gynae.)”	MD (Obst. & Gynae.) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).
“Master of Surgery (Ophthalmology)”	MS (Ophthalmology) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).
“Doctor of Medicine (Radio-Diagnosis)”	MD (Radio-Diagnosis) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).
“Master of Surgery (E.N.T.)”	MS (E.N.T.) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).
“Doctor of Medicine (Tuberculosis & Respiratory/ Chest Diseases)”	MD (TB & RD/Chest Diseases) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).

2	3
"Doctor of Medicine (Anaesthesia)"	MD (Anaesthesia) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).
"Master of Surgery (General Surgery)"	MS (General Surgery) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).
"Doctor of Medicine (Anatomy)"	MD (Anatomy) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).
"Doctor of Medicine (General Medicine)"	MD (General Medicine) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).
"Doctor of Medicine (Psychiatry)"	MD (Psychiatry) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).
"Doctor of Medicine (Pathology)"	MD (Pathology) (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2006).
"Diploma in Clinical Pathology"	D. C. P. (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after January, 2006).
"Diploma in Medical Radio Diagnosis"	D.M.R.D. (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2005).
"Diploma in Laryngology and Otology"	D.L.O. (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2005).
"Diploma in Ophthalmology"	D.O. (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after January, 2006).
"Diploma in Ophthalmology"	D.O. (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after January, 2006).
"Diploma in Orthopaedics"	D. Ortho. (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after January, 2006).

2	3
"Diploma in Gynae. & Obst."	DGO (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after January, 2006).
"Diploma in Child Health"	DCH (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2005).
"Diploma in Psychological Medicine"	DPM (This shall be a recognized medical qualification when granted by Mamta Medical College, Khammam on or after December, 2005).

(b) against "A.P./NTR University of Health Sciences, Vijayawada", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—

2	3
"Doctor of Medicine (Dermatology, Venereology & Leprosy)"	MD (Dermatology, Venereology & Leprosy) (This shall be a recognized medical qualification when granted by Gandhi Medical College, Secunderabad on or after June, 2006).
"Doctor of Medicine (Microbiology)"	MD (Microbiology) (This shall be a recognized medical qualification when granted by Gandhi Medical College, Secunderabad).
"Doctor of Medicine (Forensic Medicine)"	MD (Forensic Medicine) (This shall be a recognized medical qualification when granted by Gandhi Medical College, Secunderabad on or after 1986).
"Doctor of Medicine (Neurology)"	DM (Neurology) (This shall be a recognized medical qualification when granted by Andhra Medical College, Vishakhapatnam on or after June, 2006).
"Doctor of Medicine (Endocrinology)"	DM (Endocrinology) (This shall be a recognized medical qualification when granted by Andhra Medical College, Vishakhapatnam on or after June, 2006).
"Doctor of Medicine (Physiology)"	MD (Physiology) (This shall be a recognized medical qualification when granted by S. V. Medical College, Tirupati on or after 1982).

(c) against "University of Health Sciences, Vijayawada/NTR University of Health Sciences, Vijayawada", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—

2	3
"Magistrar Chirurgiae (Plastic Surgery)"	M. Ch. (Plastic Surgery) (This shall be a recognized medical qualification when granted by Gandhi Medical College, Secunderabad on or after January, 2006).

[No. U. 12012/70/2006-ME (P-II)]

S. K. MISHRA, Under Secy.

नई दिल्ली, 19 अक्टूबर, 2007

का.आ. 3200.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :-

उक्त अनुसूची में—

(क) “बम्बई विश्वविद्यालय और मुम्बई विश्वविद्यालय” के सामने ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और ‘पंजीकरण के लिए संक्षेपण’ [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबंध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :-

(2)	(3)
“प्रसूति एवं स्त्री रोग विज्ञान में डिप्लोमा”	डी.जी.ओ. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह ग्रांट मेडिकल कालेज, मुम्बई द्वारा 1994 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (शरीर क्रिया विज्ञान)”	एम.डी. (शरीर क्रिया विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह सेठ जी.एस. मेडिकल कालेज, मुम्बई द्वारा अप्रैल, 1969 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (एंडोक्रिनोलाजी)”	डी.एम. (एंडोक्रिनोलाजी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह सेठ जी.एस. मेडिकल कालेज, मुम्बई द्वारा 1985 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (प्रसूति एवं स्त्री रोग विज्ञान)”	डी. एम. (प्रसूति एवं स्त्री रोग विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह इंस्टीट्यूट ऑफ नेवल मेडिसिन, आईएनएचएस अश्विनी, मुम्बई द्वारा 1977 में अथवा उसके बाद प्रदान की गई है)।
“डाक्टर आफ मेडिसिन (संवेदनाहरण)”	एम.डी. (संवेदनाहरण) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह इंस्टीट्यूट ऑफ नेवल मेडिसिन, आईएनएचएस अश्विनी, मुम्बई द्वारा 1976 में अथवा उसके बाद प्रदान की गई है)।
“डाक्टर आफ मेडिसिन (सामान्य चिकित्सा)”	एम.डी. (सामान्य चिकित्सा) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह इंस्टीट्यूट ऑफ नेवल मेडिसिन, आईएनएचएस अश्विनी, मुम्बई द्वारा नवम्बर, 1976 में अथवा उसके बाद प्रदान की गई है)।
(ख) “मुम्बई विश्वविद्यालय” के सामने ‘मान्यताप्राप्त आयुर्विज्ञान अर्हता’ [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत प्रविष्टि और ‘पंजीकरण के लिए संक्षेपण’ [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबंध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :-	
“प्रसूति ऑफ मेडिसिन (बाल रोग चिकित्सा)”	एम.डी. (बाल रोग चिकित्सा) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह के.जे. स्वैया मेडिकल कालेज एंड रिसर्च सेंटर, मुम्बई द्वारा जुलाई, 2006 में अथवा उसके बाद प्रदान की गई है)।
“डाक्टर आफ मेडिसिन (विकिरण निदान)”	एम.डी. (विकिरण निदान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह इंस्टीट्यूट ऑफ नेवल मेडिसिन, अश्विनी, मुम्बई द्वारा अप्रैल, 1985 में अथवा उसके बाद प्रदान की गई है)।
“प्रसूति ऑफ मेडिसिन (बाल रोग चिकित्सा)”	एम.डी. (बाल रोग चिकित्सा) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह इंस्टीट्यूट ऑफ नेवल मेडिसिन, अश्विनी, मुम्बई द्वारा नवम्बर, 1976 में अथवा उसके बाद प्रदान की गई है)।

2	3
“मास्टर ऑफ सर्जरी (नेत्र विज्ञान)”	एस.एस. (नेत्र विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एमजीएम मेडिकल कालेज, नवीं मुम्बई द्वारा जनवरी, 2006 में अथवा उसके बाद प्रदान की गई है)।
“डाक्टर आफ मेडिसिन (शरीर क्रिया विज्ञान)”	एम.डी. (शरीर क्रिया विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एमजीएम मेडिकल कालेज, नवीं मुम्बई द्वारा जनवरी, 2006 में अथवा उसके बाद प्रदान की गई है)।
(ग) “महात्मा गांधी विश्वविद्यालय” के सामने ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और ‘पंजीकरण के लिए संक्षेपण’ [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :-	
“मजिस्ट्रार चिरुरगई (प्लास्टिक सर्जरी)”	एम.सी.एच. (प्लास्टिक सर्जरी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह मेडिकल कालेज, कोट्टायम द्वारा अगस्त, 1991 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (मनश्चिकित्सा)”	एम.डी. (मनश्चिकित्सा) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह मेडिकल कालेज, कोट्टायम द्वारा दिसम्बर, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (प्रसूति एवं स्त्री रोग विज्ञान)”	एम.डी. (प्रसूति एवं स्त्री रोग विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह मेडिकल कालेज, कोट्टायम द्वारा 1976 में अथवा उसके बाद प्रदान की गई हो)।
(घ) “नागपुर विश्वविद्यालय” के सामने ‘मान्यताप्राप्त आयुर्विज्ञान अर्हता’ [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और ‘पंजीकरण के लिए संक्षेपण’ [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :-	
“(संवेदनाहरण विज्ञान में डिप्लोमा)”	डी.ए. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह जे.एल.एन. मेडिकल कालेज, स्वांगी, वर्धा द्वारा मई, 2006 में या उसके बाद प्रदान की गई है)।
“नेत्र विज्ञान में डिप्लोमा”	डी.ओ. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह जे.एल.एन. मेडिकल कालेज, स्वांगी, वर्धा द्वारा जनवरी, 2006 में या उसके बाद प्रदान की गई है)।
“क्लिनिकल पैथोलॉजी में डिप्लोमा”	डी.सी.पी. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह जे.एल.एन. मेडिकल कालेज, स्वांगी, वर्धा द्वारा अप्रैल, 2006 में या उसके बाद प्रदान की गई है)।
“डाक्टर ऑफ मेडिसिन (भेषजगुण विज्ञान)”	एम.डी. (भेषजगुण विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह जे.एल.एन. मेडिकल कालेज, स्वांगी, वर्धा द्वारा मई, 2006 में या उसके बाद प्रदान की गई है)।
“डाक्टर ऑफ मेडिसिन (प्रसूति एवं स्त्री रोग)”	एम.डी. (प्रसूति एवं स्त्री रोग विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह जे.एल.एन. मेडिकल कालेज, स्वांगी, वर्धा द्वारा दिसम्बर, 2005 में या उसके बाद प्रदान की गई है)।
“डाक्टर ऑफ मेडिसिन (संवेदनाहरण)”	एम.डी. (संवेदनाहरण) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह महात्मा गांधी आयुर्विज्ञान संस्थान, सेवाग्राम, वर्धा द्वारा 1982 में या उसके बाद प्रदान की गई है)।
“संवेदनाहरण में डिप्लोमा”	डी.ए. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह महात्मा गांधी आयुर्विज्ञान संस्थान, सेवाग्राम, वर्धा द्वारा 1981 में या उसके बाद प्रदान की गई है)।

(ङ) "महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय" के सामने 'मान्यताप्राप्त चिकित्सा अर्हता' [इसके पश्चात् स्तंभ (2) के रूप में संदर्भित] के अन्तर्गत के सामने अन्तिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके बाद स्तंभ (3) के रूप में संदर्भित] के अधीन उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

2	3
"सर्वेदनाहरण में डिप्लोमा"	डी.ए. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह महात्मा गांधी आयुर्विज्ञान संस्थान, सेवाग्राम, वर्षा द्वारा 1981 में या उसके बाद प्रदान की गई है)।
(च) "मणिपुर विश्वविद्यालय" के सामने 'मान्यताप्राप्त चिकित्सा अर्हता' [इसके पश्चात् स्तंभ (2) के रूप में संदर्भित] के अन्तर्गत के सामने अन्तिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके बाद स्तंभ (3) के रूप में संदर्भित] के अधीन उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
"डाक्टर आफ मेडिसिन (कम्युनिटी मेडिसिन)"	एम.डी. (कम्युनिटी मेडिसिन) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह क्षेत्रीय आयुर्विज्ञान संस्थान, इम्फाल द्वारा अगस्त, 2004 में या उसके बाद प्रदान की गई है)।
"डाक्टर आफ मेडिसिन (क्षयरोग और श्वसनी/वक्ष रोग)"	एम.डी. (क्षयरोग और श्वसनी/वक्ष रोग) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह क्षेत्रीय आयुर्विज्ञान संस्थान, इम्फाल द्वारा जनवरी, 2006 में या उसके बाद प्रदान की गई है)।
(छ) "महर्षि दयानन्द विश्वविद्यालय रोहतक" के सामने 'मान्यता प्राप्त चिकित्सा अर्हता' [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत अन्तिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके बाद स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
"डाक्टर ऑफ मेडिसिन (न्यायिक चिकित्सा)"	एम.डी. (न्यायिक चिकित्सा) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह पं. बी.डी. शर्मा स्नातकोत्तर आयुर्विज्ञान संस्थान, रोहतक द्वारा 1980 में अथवा उसके बाद प्रदान की गई है)।
(ज) "श्री वेंकटेश्वर इंस्टीट्यूट ऑफ मेडिकल साइंसेज (सम विश्वविद्यालय तिरुपति)" के सामने 'मान्यता प्राप्त चिकित्सा अर्हता' [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत अन्तिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके पश्चात् स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
"डाक्टर ऑफ मेडिसिन (नेफ्रोलाजी)"	डी.एम. (नेफ्रोलाजी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह श्री वेंकटेश्वर इंस्टीट्यूट ऑफ मेडिकल साइंसेज, तिरुपति द्वारा अगस्त, 2006 में या उसके बाद प्रदान की गई है)।
"डाक्टर आफ मेडिसिन (कार्डियोलॉजी)"	डी.एम. (कार्डियोलॉजी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह श्री वेंकटेश्वर इंस्टीट्यूट ऑफ मेडिकल साइंसेज, तिरुपति द्वारा फरवरी, 2006 में अथवा उसके बाद प्रदान की गई है)।
"मजिस्ट्रार चिरुर्गई (कार्डियो थोरेसिक सर्जरी/कार्डियो थोरेसिक एवं वास्कुलर सर्जरी)"	एम.सी.एच. (कार्डियो थोरेसिक सर्जरी/कार्डियो थोरेसिक एवं वास्कुलर सर्जरी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह श्री वेंकटेश्वर इंस्टीट्यूट ऑफ मेडिकल साइंसेज, तिरुपति द्वारा फरवरी, 2006 में अथवा उसके बाद प्रदान की गई है)।
"डाक्टर ऑफ मेडिसिन (तंत्रिका विज्ञान)"	डी.एम. (तंत्रिका विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह श्री वेंकटेश्वर इंस्टीट्यूट ऑफ मेडिकल साइंसेज, तिरुपति द्वारा नवम्बर, 2006 में अथवा या उसके बाद प्रदान की गई है)।
"डाक्टर आफ मेडिसिन (शरीर क्रिया विज्ञान)"	एम.डी. (शरीर क्रिया विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह श्री वेंकटेश्वर इंस्टीट्यूट ऑफ मेडिकल साइंसेज, तिरुपति द्वारा 1982 में अथवा उसके बाद प्रदान की गई है)।

(झ) "निजाम इंस्टीट्यूट ऑफ मेडिकल साइंसेज (सम विश्वविद्यालय) हैदराबाद" के सामने 'मान्यताप्राप्त चिकित्सा अर्हता' [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत अन्तिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके पश्चात् स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

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"डाक्टर आफ मेडिसिन (तंत्रिका विज्ञान)"

डी.एम. (तंत्रिका विज्ञान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह निजाम इंस्टीट्यूट ऑफ मेडिकल साइंसेज, हैदराबाद द्वारा प्रदान की गई है)।

"डाक्टर ऑफ मेडिसिन (विकिरण चिकित्सा)"

एम.डी. (विकिरण चिकित्सा)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह निजाम इंस्टीट्यूट ऑफ मेडिकल साइंसेज, हैदराबाद द्वारा दिसम्बर, 2006 में अथवा उसके बाद प्रदान की गई है)।

(ज) "उस्मानिया विश्वविद्यालय, हैदराबाद" के सामने, 'मान्यता प्राप्त चिकित्सा अर्हता' [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत अन्तिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके पश्चात् स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

"मजिस्ट्रार चिरुर्गई (यूरोलाजी/जेनिटो यूरिनरी सर्जरी)"

एम.सी.एच. (यूरोलाजी/जेनिटो यूरिनरी सर्जरी)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह उस्मानिया मेडिकल कालेज, हैदराबाद द्वारा 1980 में अथवा उसके बाद प्रदान की गई है)।

"डाक्टर ऑफ मेडिसिन (शरीर क्रिया विज्ञान)"

एम.डी. (शरीर क्रिया विज्ञान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गांधी मेडिकल कालेज, हैदराबाद द्वारा 1980 में अथवा उसके बाद प्रदान की गई है)।

(ट) "आन्ध्र प्रदेश स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा" के सामने, 'मान्यताप्राप्त चिकित्सा अर्हता' [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत अन्तिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके पश्चात् स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

"मजिस्ट्रार चिरुर्गई (यूरोलाजी/जेनिटो यूरिनरी सर्जरी)"

एम.सी.एच. (यूरोलाजी/जेनिटो यूरिनरी सर्जरी)

(यह एक मान्यता प्राप्त चिकित्सा अर्हता होगी यदि यह उस्मानिया मेडिकल कालेज, हैदराबाद द्वारा 1980 में अथवा उसके बाद प्रदान की गई है)।

"डाक्टर आफ मेडिसिन (शरीर क्रिया विज्ञान)"

एम.डी. (शरीर क्रिया विज्ञान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गांधी मेडिकल कालेज, हैदराबाद द्वारा 1980 में अथवा उसके बाद प्रदान की गई है)।

(ठ) "एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा" के सामने, 'मान्यताप्राप्त चिकित्सा अर्हता' [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत अन्तिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके पश्चात् स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

"मजिस्ट्रार चिरुर्गई (यूरोलाजी/जेनिटो यूरिनरी सर्जरी)"

एम.सी.एच. (यूरोलाजी/जेनिटो यूरिनरी सर्जरी)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह उस्मानिया मेडिकल कालेज, हैदराबाद द्वारा 1980 में अथवा उसके बाद प्रदान की गई है)।

"डाक्टर आफ मेडिसिन (शरीर क्रिया विज्ञान)"

एम.डी. (शरीर क्रिया विज्ञान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गांधी मेडिकल कालेज, हैदराबाद द्वारा 1980 में अथवा उसके बाद प्रदान की गई है)।

[सं. यू. 12012/70/2006-एमई (पी-2)]

एस. के. मिश्र, अवर सचिव

New Delhi, the 19th October, 2007

S.O. 3200.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely :—

In the said Schedule—

(a) against “Bombay University & Mumbai University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Diploma in Gynae & Obstetrics”

D.G.O.

(This shall be a recognized medical qualification when granted by Grant Medical College, Mumbai on or after 1994).

“Doctor of Medicine (Physiology)”

M.D. (Physiology)

(This shall be a recognized medical qualification when granted by Seth G.S. Medical College, Mumbai on or after April, 1969).

“Doctor of Medicine (Endocrinology)”

DM (Endocrinology)

(This shall be a recognized medical qualification when granted by Seth G.S. Medical College, Mumbai on or after 1985).

“Doctor of Medicine (Obst. & Gynae)”

MD (Obst. & Gynae.)

(This shall be a recognized medical qualification when granted by Institute of Naval Medicine INHS Asvini, Mumbai on or after 1977).

“Doctor of Medicine (Anaesthesia)”

MD (Anaesthesia)

(This shall be a recognized medical qualification when granted by Institute of Naval Medicine INHS Asvini, Mumbai on or after 1976).

“Doctor of Medicine (General Medicine)”

MD (General Medicine)

(This shall be a recognized medical qualification when granted by Institute of Naval Medicine INHS Asvini, Mumbai on or after November, 1976).

(b) against “Mumbai University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Doctor of Medicine (Paediatrics)”

MD (Paediatrics)

(This shall be a recognized medical qualification when granted by K. J. Somaiya Medical College & Research Centre, Mumbai on or after July, 2006).

“Doctor of Medicine (Radio-diagnosis)”

MD (Radio-diagnosis)

(This shall be a recognized medical qualification when granted by Institute of Naval Medicine, Asvini, Mumbai on or after April, 1985).

“Doctor of Medicine (Paediatrics)”

MD (Paediatrics)

(This shall be a recognized medical qualification when granted by Institute of Naval Medicine, Asvini, Mumbai on or after November, 1976).

“Master of Surgery (Ophthalmology)”

MS (Ophthalmology)

(This shall be a recognized medical qualification when granted by MGM Medical College, Navi Mumbai on or after January, 2006).

“Doctor of Medicine (Physiology)”

MD (Physiology)

(This shall be a recognized medical qualification when granted by MGM Medical College, Navi Mumbai on or after January, 2006).

(c) against “Mahatma Gandhi University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Magistrar Chirurgiae (Plastic Surgery)”

M.Ch (Plastic Surgery)

(This shall be a recognized medical qualification when granted by Medical College, Kottayam on or after August, 1991).

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“Doctor of Medicine(Psychiatry)”	MD(Psychiatry) (This shall be a recognized medical qualification when granted by Medical College, Kottayam on or after December, 2006).
“Doctor of Medicine(Obst. & Gynae)”	MD(Obst. & Gynae.) (This shall be a recognized medical qualification when granted by Medical College, Kottayam on or after 1976).
(d) against “Nagpur University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
“Diploma in Anaesthesiology”	D.A. (This shall be a recognized medical qualification when granted by J.L.N. Medical College, Swangi, Wardha on or after May, 2006).
“Diploma in Ophthalmology”	D.O. (This shall be a recognized medical qualification when granted by J.L.N. Medical College, Swangi, Wardha on or after January, 2006).
“Diploma in Clinical Pathology”	D.C.P (This shall be a recognized medical qualification when granted by J.L.N. Medical College, Swangi, Wardha on or after April, 2006).
“Doctor of Medicine (Pharmacology)”	MD (Pharmacology) (This shall be a recognized medical qualification when granted by J.L.N. Medical College, Swangi, Wardha on or after May, 2006).
“Doctor of Medicine (Obst. & Gynae.)”	MD (Obst. & Gynae) (This shall be a recognized medical qualification when granted by J.L.N. Medical College, Swangi, Wardha on or after December, 2005).
“Doctor of Medicine (Anaesthesia)”	MD (Anaesthesia) (This shall be a recognized medical qualification when granted by Mahatma Gandhi Institute of Medical Sciences, Sewagram, Wardha on or after December, 1982).
“Diploma in Anaesthesia”	D.A. (This shall be a recognized medical qualification when granted by Mahatma Gandhi Institute of Medical Sciences, Sewagram, Wardha on or after 1981).
(e) against “Maharashtra University of Health Sciences”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
“Diploma in Anaesthesia”	D.A. (This shall be a recognized medical qualification when granted by Mahatma Gandhi Institute of Medical Sciences, Sewagram, Wardha on or after 1981).
(f) against “Manipur University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
“Doctor of Medicine (Community Medicine)”	MD (T.B. & Resp./chest Diseases) (This shall be a recognized medical qualification when granted by Regional Institute of Medical Sciences, Imphal on or after August, 2004).
“Doctor of Medicine (Tuberculosis & Respiratory/Chest Diseases)”	MD (Community Medicine) (This shall be a recognized medical qualification when granted by Regional Institute of Medical Sciences, Imphal on or after January, 2006).

(g) against "Maharshi Dayanand University, Rohtak", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—

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"Doctor of Medicine (Forensic Medicine)"	MD(Forensic Medicine) (This shall be a recognized medical qualification when granted by Pt. B.D. Sharma Postgraduate Instt. of Medical Sciences, Rohtak on or after 1980).
(h) against "Sri Venkateswara Instt. of Medical Sciences, (Deemed University), Tirupati", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—	
"Doctor of Medicine (Nephrology)"	DM (Nephrology) (This shall be a recognized medical qualification when granted by Sri Venkateswara Instt. of Medical Sciences, Tirupati on or after August 2006).
"Doctor of Medicine (Cardiology)"	DM (Cardiology) (This shall be a recognized medical qualification when granted by Sri Venkateswara Instt. of Medical Sciences, Tirupati on or after February, 2006).
"Magistrar Chirurgiae (Cardio Thoracic Surgery/Cardio-Thoracic & Vascular Surgery)"	M.Ch (Cardio Thoracic Surgery/Cardio-Thoracic & Vascular Surgery) (This shall be a recognized medical qualification when granted by Sri Venkateswara Instt. of Medical Sciences, Tirupati on or
after	February, 2006).
"Doctor of Medicine (Neurology)"	DM (Neurology) (This shall be a recognized medical qualification when granted by Sri Venkateswara Instt. of Medical Sciences, Tirupati on or after November, 2006).
"Doctor of Medicine (Physiology)"	MD (Physiology) (This shall be a recognized medical qualification when granted by S.V. Medical College, Tirupati on or after 1982).
(i) against "Nizam's Instt. of Medical Sciences (Deemed University), Hyderabad", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—	
"Doctor of Medicine (Neurology)"	DM (Neurology) (This shall be a recognized medical qualification when granted by Nizam's Instt. of Medical Sciences, Hyderabad).
"Doctor of Medicine (Radio-Therapy)"	MD (Radio-Therapy) (This shall be a recognized medical qualification when granted by Nizam's Instt. of Medical Sciences, Hyderabad on or after December, 2006).
(j) against "Osmania University, Hyderabad", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—	
"Magistrar Chirurgiae (Urology/Genito Urinary Surgery)"	M.Ch (Urology/Genito Urinary Surgery) (This shall be a recognized medical qualification when granted by Osmania Medical College, Hyderabad on or after 1980).
"Doctor of Medicine (Physiology)"	MD (Physiology) (This shall be a recognized medical qualification when granted by

(k) against “Andhra Pradesh University of Health Sciences, Vijayawada”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-

2	3
“Magistrar Chirurgiae (Urology/Genito Urinary Surgery)”	M.Ch (Urology/Genito Urinary Surgery) (This shall be a recognized medical qualification when granted by Osmania Medical College, Hyderabad on or after 1980).
“Doctor of Medicine (Physiology)”	MD (Physiology) (This shall be a recognized medical qualification when granted by Gandhi Medical College, Hyderabad on or after 1980).
(l) against “NTR University of Health Sciences, Vijayawada”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:-	
“Magistrar Chirurgiae (Urology/Genito Urinary Surgery)”	M.Ch (Urology/Genito Urinary Surgery) (This shall be a recognized medical qualification when granted by Osmania Medical College, Hyderabad on or after 1980).
“Doctor of Medicine (Physiology)”	MD (Physiology) (This shall be a recognized medical qualification when granted by Gandhi Medical College, Hyderabad on or after 1980).

[No. U. 12012/70/2006-ME(P-II)]

S.K.MISHRA, Under Secy.

नई दिल्ली, 22 अक्टूबर, 2007

का.आ. 3201.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :-

उक्त अनुसूची में-

(क) “गुवाहाटी विश्वविद्यालय” के सामने ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और ‘पंजीकरण के लिए संक्षेपण’ [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :-

(2)	(3)
“डाक्टर आफ मेडिसिन (प्रसूति विज्ञान और स्त्री रोग विज्ञान)”	एम. डी. (प्रसूति विज्ञान और स्त्री रोग विज्ञान) (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी यदि यह सिलचर मेडिकल कालेज, सिलचर द्वारा 1987 में अथवा उसके बाद प्रदान की गई हो) ।
(2) “स्त्री रोग विज्ञान और प्रसूति विज्ञान में डिप्लोमा”	डी.जी.ओ. (यह एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी यदि यह सिलचर मेडिकल कालेज, सिलचर द्वारा 1987 में अथवा उसके बाद प्रदान की गई हो) ।
(ख) “असम विश्वविद्यालय” के सामने ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और ‘पंजीकरण के लिए संक्षेपण’ [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :-	
“डाक्टर आफ मेडिसिन (प्रसूति विज्ञान और स्त्री रोग विज्ञान)”	एम. डी. (प्रसूति विज्ञान और स्त्री रोग विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह सिलचर मेडिकल कालेज, सिलचर द्वारा 1987 में अथवा उसके बाद प्रदान की गई हो) ।
“स्त्री रोग विज्ञान और प्रसूति विज्ञान में डिप्लोमा”	डी.जी.ओ. (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह सिलचर मेडिकल कालेज, सिलचर द्वारा 1987 में अथवा उसके बाद प्रदान की गई हो) ।

(ग) "अन्नामलाई विश्वविद्यालय" के सामने 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और 'पंजीकरण के लिए संक्षेपण' [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :-

2	3
"मास्टर ऑफ सर्जरी (अस्थि विज्ञान)"	एम. एस. (अस्थि विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह राजा मुतैया मेडिकल कालेज, अन्नामलाई नगर द्वारा प्रदान की गई हो)
"डाक्टर ऑफ मेडिसिन (संवेदनाहरण)"	एम.डी. (संवेदनाहरण) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह राजा मुतैया मेडिकल कालेज, अन्नामलाई नगर द्वारा प्रदान की गई हो)
"डाक्टर ऑफ मेडिसिन (जनरल मेडिसिन)"	एम. डी. (जनरल मेडिसिन) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह राजा मुतैया मेडिकल कालेज, अन्नामलाई नगर द्वारा प्रदान की गई हो)
"डाक्टर ऑफ मेडिसिन (बाल चिकित्सा)"	एम.डी. (बाल चिकित्सा) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह राजा मुतैया मेडिकल कालेज, अन्नामलाई नगर द्वारा प्रदान की गई हो)
"मास्टर ऑफ सर्जरी (सामान्य सर्जरी)"	एम.एस. (सामान्य सर्जरी) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह राजा मुतैया मेडिकल कालेज, अन्नामलाई नगर द्वारा प्रदान की गई हो)।
(घ) "अलीगढ़ मुस्लिम विश्वविद्यालय" के सामने 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और 'पंजीकरण के लिए संक्षेपण' [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :-	
"मजिस्ट्रार चिरुगेई (प्लास्टिक सर्जरी)"	एम. सी. एच. (प्लास्टिक सर्जरी) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.एन मेडिकल कालेज, अलीगढ़ द्वारा जुलाई, 1991 में अथवा उसके बाद प्रदान की गई हो)
"डाक्टर ऑफ मेडिसिन (क्षयरोग और रक्खसन रोग)"	एम. डी. (टी. बी. और रिस्प. डिजीज) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.एन मेडिकल कालेज, अलीगढ़ द्वारा दिसम्बर, 1996 में अथवा उसके बाद प्रदान की गई हो)
"डाक्टर ऑफ मेडिसिन (क्षयरोग और वक्ष रोग)"	एम. डी. (क्षयरोग और वक्ष रोग) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.एन मेडिकल कालेज, अलीगढ़ द्वारा दिसम्बर, 1996 में अथवा उसके बाद प्रदान की गई हो)।
(ङ) "भावनगर विश्वविद्यालय" के सामने 'मान्यता प्राप्त चिकित्सा अर्हता' [इसके पश्चात् स्तंभ (2) के रूप में संदर्भित] के अन्तर्गत के सामने अन्तिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके बाद स्तंभ (3) के रूप में संदर्भित] के अधीन उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
"डाक्टर ऑफ मेडिसिन (जनरल मेडिसिन)"	एम. डी. (जनरल मेडिसिन) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह गर्वनमेन्ट मेडिकल कालेज, भावनगर द्वारा अक्टूबर, 2006 में अथवा उसके बाद प्रदान की गई हो)
"डाक्टर ऑफ मेडिसिन (संवेदनाहरण विज्ञान)"	एम. डी. (संवेदनाहरण विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह गर्वनमेन्ट मेडिकल कालेज, भावनगर द्वारा सितम्बर, 2006 में अथवा उसके बाद प्रदान की गई हो)

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	कालेज, भावनगर द्वारा सितम्बर, 2006 में अथवा उसके बाद प्रदान की गई हो)
“मास्टर ऑफ सर्जरी (जनरल सर्जरी)”	एम. एस. (जनरल सर्जरी) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह गर्वनमेन्ट मेडिकल कालेज, भावनगर द्वारा अक्टूबर, 2006 में अथवा उसके बाद प्रदान की गई हो)
“डाक्टर ऑफ मेडिसिन (बाल चिकित्सा)”	एम. डी. (बाल चिकित्सा) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह गर्वनमेन्ट मेडिकल कालेज, भावनगर द्वारा अक्टूबर, 2006 में अथवा उसके बाद प्रदान की गई हो)
“मास्टर ऑफ सर्जरी (नेत्र विज्ञान)”	एम. एस. (नेत्र विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह गर्वनमेन्ट मेडिकल कालेज, भावनगर द्वारा अक्टूबर, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर ऑफ मेडिसिन (शरीर रचना विज्ञान)”	एम. डी. (शरीर रचना विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह गर्वनमेन्ट मेडिकल कालेज, भावनगर द्वारा सितम्बर, 2006 में अथवा उसके बाद प्रदान की गई हो)।
(च) “बर्दवान विश्वविद्यालय” के सामने ‘मान्यता प्राप्त चिकित्सा अर्हता’ [इसके पश्चात् स्तंभ (2) के रूप में संदर्भित] के अन्तर्गत अन्तिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [इसके पश्चात् स्तंभ (3) के रूप में संदर्भित] के अधीन उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
“मास्टर ऑफ सर्जरी (शरीर रचना विज्ञान)”	एम. एस. (शरीर रचना विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह बर्दवान गर्वनमेन्ट मेडिकल कालेज, बर्दवान द्वारा जुलाई, 1997 में अथवा उसके बाद प्रदान की गई हो)
“डाक्टर ऑफ मेडिसिन (शरीर रचना विज्ञान)”	एम. डी. (शरीर रचना विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह बर्दवान मेडिकल कालेज, बर्दवान द्वारा जुलाई, 1997 में अथवा उसके बाद प्रदान की गई हो)
“डाक्टर ऑफ मेडिसिन (बाल चिकित्सा)”	एम. डी. (बाल चिकित्सा) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह बर्दवान मेडिकल कालेज, बर्दवान द्वारा मई, 2006 में अथवा उसके बाद प्रदान की गई हो)

[सं. यू.-2012/70/2006-एम ई (पी-II)]

एस. के. मिश्र, अवर सचिव

New Delhi, the 22nd October, 2007

S.O. 3201.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely :—

In the said Schedule—

(a) against “Guwahati University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

(2)	(3)
“Doctor of Medicine (Obst. & Gynae.)”	MD (Obst. & Gynae.) (This shall be a recognized medical qualification when granted by

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"Diploma in Gynaecology & Obstetrics"	<p>Silchar Medical College, Silchar on or after 1987).</p> <p>D.G.O.</p> <p>(This shall be a recognized medical qualification when granted by Silchar Medical College, Silchar on or after 1987).</p>
<p>(b) against "Assam University", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—</p>	
"Doctor of Medicine (Obst. & Gynae.)"	<p>MD (Obst. & Gynae.)</p> <p>(This shall be a recognized medical qualification when granted by Silchar Medical College, Silchar on or after 1987).</p>
"Diploma in Gynaecology & Obstetrics"	<p>D.G.O.</p> <p>(This shall be a recognized medical qualification when granted by Silchar Medical College, Silchar on or after 1987).</p>
<p>(c) against "Annamalai University", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—</p>	
"Master of Surgery (Orthopaedics)"	<p>MS (Orthopaedics)</p> <p>(This shall be a recognized medical qualification when granted by Rajah Muthiah Medical College, Annamalai Nagar)</p>
"Doctor of Medicine (Anaesthesia)"	<p>MD (Anaesthesia)</p> <p>(This shall be a recognized medical qualification when granted by Rajah Muthiah Medical College, Annamalai Nagar)</p>
"Doctor of Medicine (General Medicine)"	<p>MD (General Medicine)</p> <p>(This shall be a recognized medical qualification when granted by Rajah Muthiah Medical College, Annamalai Nagar)</p>
"Doctor of Medicine (Paediatrics)"	<p>MD (Paediatrics)</p> <p>(This shall be a recognized medical qualification when granted by Rajah Muthiah Medical College, Annamalai Nagar)</p>
"Master of Surgery (General Surgery)"	<p>MS (General Surgery)</p> <p>(This shall be a recognized medical qualification when granted by Rajah Muthiah Medical College, Annamalai Nagar)</p>
<p>(d) against "Aligarh Muslim University", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—</p>	
"Magistrar Chirurgiae (Plastic Surgery)"	<p>M.Ch (Plastic Surgery)</p> <p>(This shall be a recognized medical qualification when granted by J. N. Medical College, Aligarh on or after July, 1991).</p>
"Doctor of Medicine (Tuberculosis & Respiratory Diseases)"	<p>MD(T.B. & Resp. Diseases)</p> <p>(This shall be a recognized medical qualification when granted by J.N. Medical College, Aligarh on or after December, 1996).</p>

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"Doctor of Medicine (Tuberculosis & Chest Diseases)"	MD(T.B. & Chest Diseases) (This shall be a recognized medical qualification when granted by J.N. Medical College, Aligarh on or after December, 1996).

(e) against "Bhavnagar University", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—

(2)	(3)
"Doctor of Medicine(General Medicine)"	MD (General Medicine) (This shall be a recognized medical qualification when granted by Government Medical College, Bhavnagar on or after October., 2006).
"Doctor of Medicine(Anaesthesiology)"	MD (Anaesthesiology) (This shall be a recognized medical qualification when granted by Govt. Medical College, Bhavnagar on or after September, 2006).
"Master of Surgery(General Surgery)"	MS (General Surgery) (This shall be a recognized medical qualification when granted by Government Medical College, Bhavnagar on or after October., 2006).
"Doctor of Medicine(Paediatics)"	MD (Paesiatics) (This shall be a recognized medical qualification when granted by Govt. Medical College, Bhavnagar on or after October., 2006).
"Master of Surgery(Ophthalmology)"	MS (Ophthalmology) (This shall be a recognized medical qualification when granted by Government Medical College, Bhavnagar on or after October., 2006).
"Doctor of Medicine(Anatomy)"	MD (Anatomy) (This shall be a recognized medical qualification when granted by Government Medical College, Bhavnagar on or after September, 2006).

(e) against "Burdwan University", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—

(2)	(3)
"Master of Surgery (Anatomy)"	MS (Anatomy) (This shall be a recognized medical qualification when granted by Burdwan Medical College, Burdwan on or after July, 1997).
"Doctor of Medicine (Anatomy)"	MD (Anatomy) (This shall be a recognized medical qualification when granted by Burdwan Medical College, Burdwan on or after July, 1997).
"Doctor of medicine (Paediatics)"	MD (Paediatics) (This shall be a recognized medical qualification when granted by Burdwan Medical College, Burdwan on or after May, 2006).

[No. U. 12012/70/2006-ME(P-II)]

S. K. MISHRA, Under Secy.

नई दिल्ली, 22 अक्टूबर, 2007

का.आ. 3202.— भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अनुसूची में—

(क) "पूना विश्वविद्यालय के सामने 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और 'पंजीकरण के लिए संक्षेपण' [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :—

(2)	(3)
"डाक्टर आफ मेडिसिन (हृदय विज्ञान)"	डी.एम. (हृदय विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि आर्म्ड फोर्सेज मेडिकल कालेज, पुणे द्वारा दिसम्बर, 1982 में अथवा उसके बाद प्रदान की गई हो)।
(ख) "पुडुचेरी विश्वविद्यालय" के सामने 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और 'पंजीकरण के लिए संक्षेपण' [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :—	डी.एम. (हृदय विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जवाहरलाल नेहरू स्नातकोत्तर आयुर्विज्ञान शिक्षा और अनुसंधान संस्थान, पांडिचेरी, द्वारा मार्च, 2005 में अथवा उसके बाद प्रदान की गई हो)।
(ग) "पंजाब विश्वविद्यालय" के सामने 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और 'पंजीकरण के लिए संक्षेपण' [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :—	एम.डी. (क्षय रोग और श्वसन रोग) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह गवर्नमेंट मेडिकल कालेज चंडीगढ़ द्वारा अप्रैल, 2006 में अथवा उसके बाद प्रदान की गई हो)।
(घ) "पंजाबी विश्वविद्यालय" के सामने 'मान्यता प्राप्त आयुर्विज्ञान अर्हता' [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और 'पंजीकरण के लिए संक्षेपण' [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :—	एम.डी. (क्षय रोग और श्वसन रोग) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह गवर्नमेंट मेडिकल कालेज, पटियाला द्वारा अक्टूबर, 1987 में अथवा उसके बाद प्रदान की गई हो)।
(ङ) "बाबा फरीद यूनिवर्सिटी ऑफ हेल्थ साइंसेस, फरीदकोट" के सामने 'मान्यता प्राप्त चिकित्सा अर्हता' (इसके बाद स्तंभ (2) के रूप में संदर्भित) के अन्तर्गत के सामने, अन्तिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' (इसके बाद स्तंभ (3) के रूप में संदर्भित) के अधीन उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :—	एम.डी. (क्षय रोग और श्वसन रोग) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह गवर्नमेंट मेडिकल कालेज, पटियाला द्वारा अक्टूबर, 1987 में अथवा उसके बाद प्रदान की गई हो)।
(च) "श्री रामचन्द्र मेडिकल कालेज एंड रिसर्च इंस्टीट्यूट (सम विश्वविद्यालय)" के सामने, 'मान्यता प्राप्त चिकित्सा अर्हता' [इसके पश्चात् स्तंभ (2) के रूप में संदर्भित] के अन्तर्गत अन्तिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके बाद स्तंभ (3) के रूप में संदर्भित] के अधीन उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :—	एम.डी. (वृक्क विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह श्री रामचन्द्र मेडिकल कालेज एंड रिसर्च इंस्टीट्यूट, चेन्नई द्वारा नवम्बर, 2005 में अथवा उसके बाद प्रदान की गई हो)।

(छ) “पंडित रविशंकर शुक्ल विश्वविद्यालय” के सामने, ‘मान्यता प्राप्त चिकित्सा अर्हता’ [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत अन्तिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [इसके पश्चात् स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :—

(2)	(3)
“डिप्लोमा इन क्लिनिकल पैथलाजी”	डी.सी.पी. (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह पंडित जे.एन.एम. मेडिकल कालेज रायपुर द्वारा 1973 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (रेडियो थेरेपी)”	एम.डी. (रेडियो थेरेपी) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह पंडित जे.एन.एम. मेडिकल कालेज रायपुर द्वारा 1997 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (संवेदनाहरण)”	एम.डी. (संवेदनाहरण) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह पंडित जे.एन.एम. मेडिकल कालेज रायपुर द्वारा जुलाई, 1984 में अथवा उसके बाद प्रदान की गई है)।
“डिप्लोमा इन अनेस्थेसिया”	डी. ए. (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह पंडित जे.एन.एम. मेडिकल कालेज रायपुर द्वारा जुलाई, 1981 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (प्रसूति विज्ञान और स्त्री रोग विज्ञान)”	एम.डी. (प्रसूति विज्ञान और स्त्री रोग विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह पंडित जे.एन.एम. मेडिकल कालेज रायपुर द्वारा जुलाई, 1972 में अथवा उसके बाद प्रदान की गई हो)।
“मास्टर आफ सर्जरी (प्रसूति विज्ञान और स्त्री रोग विज्ञान)”	एम.एस. (प्रसूति विज्ञान और स्त्री रोग विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह पंडित जे.एन.एम. मेडिकल कालेज रायपुर द्वारा अक्टूबर, 1972 में अथवा उसके बाद प्रदान की गई हो)।
“डिप्लोमा इन आक्सटेट्रिक्स एंड गाइनाकलाजी”	डी.जी.ओ. (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह पंडित जे.एन.एम. मेडिकल कालेज रायपुर द्वारा अक्टूबर, 1980 में अथवा उसके बाद प्रदान की गई हो)।
(ज) “राजस्थान विश्वविद्यालय जयपुर” के सामने, ‘मान्यता प्राप्त चिकित्सा अर्हता’ [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत अन्तिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [इसके पश्चात् स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :—	
“मास्टर ऑफ सर्जरी (अस्थिविज्ञान)”	एम.एस. (अस्थिविज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह गवर्नमेन्ट मेडिकल कालेज, कोटा द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर ऑफ मेडिसिन (बाल चिकित्सा)”	एम.डी. (बाल चिकित्सा) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह गवर्नमेन्ट मेडिकल कालेज, कोटा द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर ऑफ मेडिसिन (जनरल मेडिसिन)”	एम.डी. (जनरल मेडिसिन) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह गवर्नमेन्ट मेडिकल कालेज, कोटा द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर ऑफ मेडिसिन (न्यूरोलोजी)”	डी.एम. (न्यूरोलोजी) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह गवर्नमेन्ट मेडिकल कालेज, कोटा द्वारा दिसम्बर, 2002 में अथवा उसके बाद प्रदान की गई हो)।
(झ) “रांची विश्वविद्यालय” के सामने, ‘मान्यता प्राप्त चिकित्सा अर्हता’ (इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित) के अन्तर्गत अन्तिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ (इसके पश्चात् स्तंभ (3) के रूप में उल्लिखित) के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :—	
“डिप्लोमा इन लरिनालाजी एंड आटोलाजी”	डी.एल.ओ. (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह राजेन्द्र इंस्टीट्यूट ऑफ मेडिकल कालेज, साईसेज, रांची द्वारा दिसम्बर, 1979 में अथवा उसके बाद प्रदान की गई हो)।

(ज) “सौराष्ट्र विश्वविद्यालय राजकोट” के सामने, ‘मान्यता प्राप्त चिकित्सा अर्हता’ (इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित) के अन्तर्गत अंतिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ (इसके पश्चात् स्तंभ (3) के रूप में उल्लिखित) के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

(2)	(3)
“डाक्टर ऑफ मेडिसिन (न्यायिक चिकित्सा)”	एम.डी. (न्यायिक चिकित्सा) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह पंडित दीनदयाल उपाध्याय मेडिकल कालेज, राजकोट द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर ऑफ मेडिसिन (माइक्रोबायोलॉजी)”	एम.डी. (माइक्रोबायोलॉजी) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह पंडित दीनदयाल उपाध्याय मेडिकल कालेज, राजकोट द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“भजिस्ट्रार चिरूगेड (प्लास्टिक सर्जरी)”	एम.सी.एच. (प्लास्टिक सर्जरी) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह एम.पी. शाह, मेडिकल कॉलेज, जामनगर द्वारा जनवरी, 2007 में अथवा उसके बाद प्रदान की गई हो)।
(ट) “संत गडगे बाबा अमरावती विश्वविद्यालय” के सामने, ‘मान्यता प्राप्त चिकित्सा अर्हता’ (इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित) के अन्तर्गत अंतिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ (इसके पश्चात् स्तंभ (3) के रूप में उल्लिखित) के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
“मास्टर ऑफ मेडिसिन (न्यायिक चिकित्सा)”	एम.डी. (न्यायिक चिकित्सा) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह श्री वसंत राव नाइक गवर्नमेन्ट मेडिकल कालेज, यवतमाल द्वारा जुलाई, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर ऑफ सर्जरी (कान, नाक, गला विज्ञान)”	एम.एस. (कान, नाक, गला विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह श्री वसंत राव नाइक गवर्नमेन्ट मेडिकल कालेज, यवतमाल द्वारा दिसम्बर, 2006 में अथवा उसके बाद प्रदान की गई हो)।

[सं. यू-12012/70/2006-एम ई (पी-II)]

एस. के. मिश्र, अवर सचिव

New Delhi, the 22nd October, 2007

S.O. 3202.— In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely :—

In the said Schedule—

(a) against “Poona University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

(2)	(3)
“Doctor of Medicine (Cardiology)”	DM (Cardiology) (This shall be a recognized medical qualification when granted by Armed Forces Medical College, Pune on or after December, 1982).
(b) against “Pondicherry University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—	
“Doctor of Medicine (Cardiology)”	DM (Cardiology) (This shall be a recognized medical qualification when granted by Jawaharlal Nehru Instt. of Postgraduate Medical Education & Research, Pondicherry on or after March, 2005).

(c) against “Punjab University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

(2)	(3)
“Doctor of Medicine (Tuberculosis & Respiratory Diseases)”	MD (T.B. & Resp. Diseases) (This shall be a recognized medical qualification when granted by Govt. Medical College, Chandigarh on or after April, 2006).

(d) against “Punjabi University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Doctor of Medicine (Tuberculosis & Respiratory Diseases)”	MD (T.B. & Resp. Diseases) (This shall be a recognized medical qualification when granted by Govt. Medical College, Patiala on or after Oct., 1987).
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(e) against “Baba Farid University of Health Sciences, Faridkot”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Doctor of Medicine (Tuberculosis & Respiratory Diseases)”	MD (T.B. & Resp. Diseases) (This shall be a recognized medical qualification when granted by Govt. Medical College, Patiala on or after Oct., 1987)
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(f) against “Sri Ramchandra Medical College & Research Institute (Deemed University), Chennai”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Doctor of Medicine (Nephrology)”	DM(Nephrology) (This shall be a recognized medical qualification when granted by Sri Ramchandra Medical College & Research Instt., Chennai on or after November, 2005).
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(g) against “Pt. Ravi Shankar Shukla University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Diploma in Clinical Pathology”	D. C. P. (This shall be a recognized medical qualification when granted by Pt. J.N.M. Medical College, Raipur on or after 1973).
“Doctor of Medicine (Radio-Therapy)”	MD (Radio-Therapy) (This shall be a recognized medical qualification when granted by Pt. J.N.M. Medical College, Raipur on or after 1997).
“Doctor of Medicine (Anaesthesia)”	MD (Anaesthesia) (This shall be a recognized medical qualification when granted by Pt. J.N.M. Medical College, Raipur on or after July, 1984).
“Diploma in Anaesthesia”	DA (This shall be a recognized medical qualification when granted by Pt. J.N.M. Medical College, Raipur on or after July, 1981).
“Doctor of Medicine (Obst. & Gynae)”	MD (Obst. & Gynae) (This shall be a recognized medical qualification when granted by Pt. J.N.M. Medical College, Raipur on or after Oct., 1972).
“Master of Surgery (Obst. & Gynae.)”	MS (Obst. & Gynae) (This shall be a recognized medical qualification when granted by Pt. J.N.M. Medical College, Raipur on or after Oct., 1972).

(2)	(3)
"Diploma in Obstetrics & Gynaecology"	D.G.O. (This shall be a recognized medical qualification when granted by Pt. J.N.M. Medical College, Raipur on or after Oct., 1980).
(h) against "Rasjasthan University, Jaipur", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—	
"Master of Surgery (Orthopaedics)"	MS (Orthopaedics) (This shall be a recognized medical qualification when granted by Govt. Medical College, Kota on or after August, 2006).
"Doctor of Medicine (Paediatrics)"	MD (Paediatrics) (This shall be a recognized medical qualification when granted by Govt. Medical College, Kota on or after August, 2006).
"Doctor of Medicine (General Medicine)"	MD (General Medicine) (This shall be a recognized medical qualification when granted by Govt. Medical College, Kota on or after August, 2006).
"Doctor of Medicine (Neurology)"	DM (Neurology) (This shall be a recognized medical qualification when granted by S.M.S. Medical College, Jaipur on or after December, 2002).
(i) against "Ranchi University", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—	
"Diploma in Laryngology and Otology"	D.L.O. (This shall be a recognized medical qualification when granted by Rajendra Instt. of Medical Sciences, Ranchi on or after December, 1979).
(j) against "Saurashtra University, Rajkot", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—	
"Doctor of Medicine (Forensic Medicine)"	MD (Forensic Medicine) (This shall be a recognized medical qualification when granted by Pt. Deen Dayal Upadhyaya Medical College, Rajkot on or after August, 2006).
"Doctor of Medicine (Microbiology)"	MD (Microbiology) (This shall be a recognized medical qualification when granted by Pt. Deen Dayal Upadhyaya Medical College, Rajkot on or after August, 2006).
"Magistrar Chirurgiae (Plastic Surgery)"	M.Ch (Plastic Surgery) (This shall be a recognized medical qualification when granted by M.P. Shah Medical College, Jamnagar on or after January, 2007)
(k) against "Sant Gadge Baba Amravati University, Amravati", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—	
"Doctor of Medicine (Forensic Medicine)"	MD (Forensic Medicine) (This shall be a recognized medical qualification when granted by Sh. Vasantao Naik Govt. Medical College, Yavatmal on or after July, 2006).
Master of Surgery (Otorhinolaryngology)	MS (E.N.T.) (This shall be a recognized medical qualification when granted by Sh. Vasantao Naik Govt. Medical College, Yavatmal on or after December, 2006).

नई दिल्ली, 23 अक्टूबर, 2007

का.आ. 3203.—भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद से परामर्श करने के पश्चात् एतद्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :-

उक्त प्रथम अनुसूची में “दाक्षण गुजरात विश्वविद्यालय” और उससे संबंधित प्रविष्टियों के बाद “श्री रामचन्द्र विश्वविद्यालय, पोरूर, चेन्नई” जोड़ा जाएगा और “श्री रामचन्द्र विश्वविद्यालय, पोरूर, चेन्नई” के सामने और “मान्यता प्राप्त आयुर्विज्ञान अर्हता” [इसके स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और ‘पंजीकरण के लिए संक्षेपण’ [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :-

मान्यताप्राप्त आयुर्विज्ञान अर्हता (2)	पंजीकरण के लिए संक्षेपण (3)
आयुर्विज्ञान तथा शल्य विज्ञान स्नातक	एम.बी.बी.एस.
डॉक्टर ऑफ मेडिसन (बाल रोग चिकित्सा)	एमडी (बाल रोग चिकित्सा)
डॉक्टर ऑफ मेडिसन (संवेदनाहरण)	एमडी (संवेदनाहरण)
डॉक्टर ऑफ मेडिसन (प्रसूति एवं स्त्री रोग विज्ञान)	एमडी (प्रसूति एवं स्त्री रोग विज्ञान)
डॉक्टर ऑफ मेडिसन (सामान्य चिकित्सा)	एमडी (सामान्य चिकित्सा)
मास्टर ऑफ सर्जरी (सामान्य शल्य चिकित्सा)	एमएस (सामान्य शल्य चिकित्सा)
डॉक्टर ऑफ सर्जरी (विकलांग विज्ञान)	एमएस (विकलांग विज्ञान)
संवेदनाहरण में डिप्लोमा	डी.ए.
विकलांग विज्ञान में डिप्लोमा	डी. आर्थो.
बाल स्वास्थ्य में डिप्लोमा	डी.सी.एच.
प्रसूति एवं स्त्री रोग विज्ञान में डिप्लोमा	डी.जी.ओ.
नेत्र विज्ञान में डिप्लोमा	डी.ओ.
आयुर्विज्ञान विकिरण निदान में डिप्लोमा	डी.एम.आर.डी.
लैरिंगोलोजी और ओटोलोजी में डिप्लोमा	डी.एल.ओ.
डॉक्टर ऑफ मेडिसन (विकिरण निदान)	एम.डी. (विकिरण निदान)
मास्टर ऑफ सर्जरी (नेत्र विज्ञान)	एमएस (नेत्र विज्ञान)
मास्टर ऑफ सर्जरी (कान, नाक, गला)	एमएस (कान, नाक, गला)
डॉक्टर ऑफ मेडिसन (कार्डियोलोजी)	डी.एम. (कार्डियो)
डॉक्टर ऑफ मेडिसन (तंत्रिका विज्ञान)	डी.एम. (तंत्रिका विज्ञान)
त्वचा विज्ञान में डिप्लोमा/त्वचा विज्ञान, रतिज रोग विज्ञान और कुष्ठ रोग में डिप्लोमा	एमडी (डी.वी.एल.)
डॉक्टर ऑफ मेडिसन (शरीर रचना विज्ञान)	एम.डी. (शरीर रचना विज्ञान)
डॉक्टर ऑफ मेडिसन (सामुदायिक चिकित्सा)	एम.डी. (सामुदायिक चिकित्सा)
डॉक्टर ऑफ मेडिसन (शरीर क्रिया विज्ञान)	एम.डी. (शरीर क्रिया विज्ञान)
डॉक्टर ऑफ मेडिसन (फार्माकोलोजी)	एम.डी. (फार्माकोलोजी)
डॉक्टर ऑफ मेडिसन (विकृति विज्ञान)	एम.डी. (विकृति विज्ञान)
डॉक्टर ऑफ मेडिसन (सूक्ष्म जीव विज्ञान)	एम.डी. (सूक्ष्म जीव विज्ञान)
मजिस्ट्रा चिरूरुगई (तंत्रिका शल्य चिकित्सा)	एम.सी.एच. (तंत्रिका शल्य चिकित्सा)
मजिस्ट्रा चिरूरुगई (कार्डियो-थेरेसिक-सर्जरी)	एम.सी.एच. (कार्डियो-थेरेसिक-सर्जरी)
मजिस्ट्रा चिरूरुगई (जेनिटो-यूरिनरी-सर्जरी)	एम.सी.एच. (जेनिटो-यूरिनरी-सर्जरी)
डॉक्टर ऑफ मेडिसन (जैव रसायन)	एम.डी. (जैव रसायन)

(ये मान्यता प्राप्त आयुर्विज्ञान अर्हताएं होंगी यदि ये श्री रामचन्द्र मेडिकल कालेज एवं अनुसंधान संस्थान, पोरूर, चेन्नई, तमिलनाडु में प्रशिक्षित छात्रों के संबंध में श्री रामचन्द्र विश्वविद्यालय, पोरूर, चेन्नई द्वारा 2007 में अथवा उसके बाद प्रदान की गई हों)

[सं. यू.-12012/479/2007-एम. ई. (पी-11)]

एस. के. मिश्र, अवर सचिव

New Delhi, the 23rd October, 2007

S.O. 3203.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said First Schedule after “South Gujarat University” and entries relating thereto “Sri Ramachandra University, Porur, Chennai” shall be added and against the “Sri Ramachandra University, Porur, Chennai” and under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:—

Recognised Medical Qualification	Abbreviation for Registration
(2)	(3)
Bachelor of Medicine & Bachelor of Surgery	M.B.B.S
Doctor of Medicine (Paediatrics)	MD (Paed.)
Doctor of Medicine (Anaesthesiology)	MD (Anaes.)
Doctor of Medicine (Obst. & Gynae.)	MD (Obst. & Gynae.)
Doctor of Medicine (General Medicine)	MD (Gen. Medicine)
Master of Surgery (General Surgery)	MS (Gen. Surgery)
Master of Surgery (Orthopaedics)	MS (Ortho.)
Diploma in Anaesthesiology	D.A.
Diploma in Orthopaedics	D.Ortho.
Diploma in Child Health	D.C.H.
Diploma in Obst. & Gynae.	D.G.O.
Diploma in Ophthalmology	D.O.
Diploma in Medical Radio Diagnosis	D.M.R.D.
Diploma in Laryngology & Otology	D.L.O.
Doctor of Medicine (Radio Diagnosis)	MD (Radio Diagn.)
Master of Surgery (Ophthalmology)	MS (Ophth.)
Master of Surgery (E.N.T.)	MS (ENT)
Doctor of Medicine (Cardiology)	DM (Cardio.)
Doctor of Medicine (Neurology)	DM (Neuro.)
Diploma in Dermatology/Diploma in Dermatology, Venereology & Leprosy	DD/DDVL
Doctor of Medicine (Dermatology, Venereology & Leprosy)	MD (D.V.L.)
Doctor of Medicine (Anatomy)	MD (Anatomy)
Doctor of Medicine (Community Medicine)	MD (Comm. Med.)
Doctor of Medicine (Physiology)	MD (Physio.)
Doctor of Medicine (Pharmacology)	MD (Pharm.)
Doctor of Medicine (Pathology)	MD (Patho.)
Doctor of Medicine (Microbiology)	MD (Micro.)
Magistrar Chirurgiae (Neuro-Surgery)	M.Ch (Neuro-Surg.)
Magistrar Chirurgiae (Cardio-thoracic-Surgery)	M.Ch (Cardio-thorac.-Surg.)
Magistrar Chirurgiae (Genito-Urinary-Surgery)	M.Ch (Genito-Urinary-Surg.)
Doctor of Medicine (Biochemistry)	MD (Biochemistry)

(These shall be a recognized medical qualifications when granted on or after 2007 by “Sri Ramachandra University, Porur, Chennai” in respect of the students trained at “Sri Ramachandra Medical College & Research Institute, Porur, Chennai, Tamil Nadu)

[No.U.12012/479/2007-ME (P-II)]

S.K. MISHRA, Under Secy.

नई दिल्ली, 24 अक्टूबर, 2007

का.आ. 3204.—भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 11 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद से परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में एतद्वारा निम्नलिखित और संशोधन करती है, अर्थात् :-

उक्त अनुसूची में-

(क) “भारतीय विद्यापीठ (सम विश्वविद्यालय)” के सामने “मान्यताप्राप्त चिकित्सा अर्हता” [इसके बाद स्तंभ (2) के रूप में संदर्भित] के अन्तर्गत अन्तिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [इसके पश्चात् स्तंभ (3) के रूप में संदर्भित] के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

(2)	(3)
“डाक्टर आफ मेडिसिन (विकिरण निदान)”	एम.डी. (विकिरण निदान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह भारती विद्यापीठ मेडिकल कालेज, पुणे द्वारा सितम्बर, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“मास्टर आफ सर्जरी (अस्थि विज्ञान)”	एम.एस. (अस्थि विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह भारती विद्यापीठ मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“स्त्री रोग विज्ञान और प्रसूति विज्ञान में डिप्लोमा”	डी.जी.ओ. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह भारती विद्यापीठ मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“त्वचा विज्ञान और रतिजरोग विज्ञान और कुष्ठ रोग विज्ञान में डिप्लोमा”	डी.डी.वी.एल. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह भारती विद्यापीठ मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“रतिजरोग विज्ञान और त्वचा विज्ञान में डिप्लोमा”	डी.वी.डी. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह भारती विद्यापीठ मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“मास्टर आफ सर्जरी (नेत्र विज्ञान)”	एम.एस. (नेत्र विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह भारती विद्यापीठ मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“नेत्र विज्ञान में डिप्लोमा”	डी.ओ. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह भारती विद्यापीठ मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (विकृति विज्ञान)”	एम.डी. (विकृति विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह भारती विद्यापीठ मेडिकल कालेज, पुणे द्वारा फरवरी, 2007 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (त्वचा विज्ञान)”	एम.डी. (त्वचा विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह भारती विद्यापीठ मेडिकल कालेज, पुणे द्वारा फरवरी, 2007 में अथवा उसके बाद प्रदान की गई हो)।
“शिशु स्वास्थ्य में डिप्लोमा”	डी.सी.एच. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह भारती विद्यापीठ मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (संवेदनाहरण)”	एम.डी. (संवेदनाहरण) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह भारती विद्यापीठ मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“संवेदनाहरण में डिप्लोमा”	डी.ए. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह भारती विद्यापीठ मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)।

(2)	(3)
डाक्टर आफ मेडिसिन (शरीर क्रिया विज्ञान)	एम.डी. (शरीर क्रिया विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह भारती विद्यापीठ मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके बाद प्रदान की गई हो)
(ख) "मराठवाड़ा विश्वविद्यालय" के सामने "मान्यताप्राप्त चिकित्सा अर्हता" [इसके पश्चात् स्तंभ (2) के रूप में संदर्भित] के अन्तर्गत अंतिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके पश्चात् स्तंभ (3) के रूप में संदर्भित] के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
मास्टर आफ सर्जरी (कान, नाक, गला विज्ञान)	एम.एस. (कान, नाक, गला विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा 1993 में अथवा उसके बाद प्रदान की गई हो)
कान, नाक, गला विज्ञान में डिप्लोमा	डी.एल.ओ. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा 1992 में अथवा उसके बाद प्रदान की गई हो)
डाक्टर आफ मेडिसिन (भेषजगुण विज्ञान)	एम.डी. (भेषजगुण विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा 1982 में अथवा उसके बाद प्रदान की गई हो)
डाक्टर आफ मेडिसिन (संवेदनाहरण विज्ञान)	एम.डी. (संवेदनाहरण विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा अक्टूबर, 1981 में अथवा उसके बाद प्रदान की गई हो)
संवेदनाहरण विज्ञान में डिप्लोमा	डी.ए. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा अक्टूबर, 1981 में अथवा उसके बाद प्रदान की गई हो)
डाक्टर आफ मेडिसिन (स्त्री रोग विज्ञान और प्रसूति विज्ञान)	एम.डी. (स्त्री रोग विज्ञान और प्रसूति विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा अप्रैल, 1993 में अथवा उसके बाद प्रदान की गई हो)
स्त्री रोग विज्ञान और प्रसूति विज्ञान में डिप्लोमा	डी.जी.ओ. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा अप्रैल, 1992 में अथवा उसके बाद प्रदान की गई हो)
मास्टर आफ सर्जरी (कान, नाक, गला विज्ञान)	एम.एस. (ई.एन.टी.) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा मार्च, 1982 में अथवा उसके बाद प्रदान की गई हो)
कान, नाक, गला विज्ञान में डिप्लोमा	डी.एल.ओ. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा मार्च, 1982 में अथवा उसके बाद प्रदान की गई हो।)
(ग) "डा. बाबा साहब अंबेडकर मराठवाड़ा विश्वविद्यालय" के सामने "मान्यताप्राप्त चिकित्सा अर्हता" [इसके पश्चात् स्तंभ (2) के रूप में संदर्भित] के अन्तर्गत अंतिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके पश्चात् स्तंभ (3) के रूप में संदर्भित] के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
मास्टर आफ सर्जरी (कान, नाक, गला विज्ञान)	एम.एस. (ई.एन.टी.) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा 1993 में अथवा उसके बाद प्रदान की गई हो)
कान, नाक, गला विज्ञान में डिप्लोमा	डी.एल.ओ. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा 1992 में अथवा उसके बाद प्रदान की गई हो)

(2)	(3)
डाक्टर आफ मेडिसिन (फार्माकोलाजी)	एम.डी. (फार्माकोलाजी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा 1982 में अथवा उसके बाद प्रदान की गई हो।)
डाक्टर आफ मेडिसिन (संवेदनाहरण विज्ञान)	एम.डी. (संवेदनाहरण विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा अक्टूबर, 1981 में अथवा उसके बाद प्रदान की गई हो।)
संवेदनाहरण में डिप्लोमा	डी.ए. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा अक्टूबर, 1981 में अथवा उसके बाद प्रदान की गई हो।)
डाक्टर आफ मेडिसिन (प्रसूति विज्ञान और स्त्री रोग विज्ञान)	एम.डी. (प्रसूति विज्ञान और स्त्री रोग विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा अप्रैल, 1993 में अथवा उसके बाद प्रदान की गई हो।)
प्रसूति विज्ञान और स्त्री विज्ञान में डिप्लोमा	डी.जी.ओ. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस.आर.टी.आर. मेडिकल कालेज, अंबाजगई द्वारा अप्रैल, 1992 में अथवा उसके बाद प्रदान की गई हो।)
मास्टर आफ सर्जरी (नेत्र विज्ञान)	एम.एस. (नेत्र विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एम.जी.एम. मेडिकल कालेज, औरंगाबाद द्वारा जनवरी, 2005 में अथवा उसके बाद प्रदान की गई हो।)
डाक्टर आफ मेडिसिन (सामान्य आयुर्विज्ञान)	एम.डी. (सामान्य आयुर्विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एम.जी.एम. मेडिकल कालेज, औरंगाबाद द्वारा फरवरी, 2006 में अथवा उसके बाद प्रदान की गई हो।)
मास्टर आफ सर्जरी (सामान्य शल्य क्रिया)	एम.एस. (सामान्य शल्य क्रिया) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एम.जी.एम. मेडिकल कालेज, औरंगाबाद द्वारा अगस्त, 2005 में अथवा उसके बाद प्रदान की गई हो।)
मास्टर आफ सर्जरी (कान, नाक, गला विज्ञान)	एम.एस. (ई.एन.टी.) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गवर्नमेंट मेडिकल कालेज, औरंगाबाद द्वारा मार्च, 1982 में अथवा उसके बाद प्रदान की गई हो।)
कान, नाक, गला विज्ञान में डिप्लोमा	डी.एल.ओ. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गवर्नमेंट मेडिकल कालेज, औरंगाबाद द्वारा मार्च, 1982 में अथवा उसके बाद प्रदान की गई हो।)

[सं० यू-12012/70/2006-एम.ई. (पी-II)]

एस.के.मिश्र, अवर सचिव

New Delhi, the 24th October, 2007

S.O. 3204.—In exercise of the powers conferred by sub-section (2) of the section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said Schedule—

(a) against “Bharati Vidyapeeth (Deemed University), Pune”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:—

(2)	(3)
“Doctor of Medicine (Radio-Diagnosis)”	MD (Radio-Diagnosis) (This shall be a recognized medical qualification when granted by Bharati Vidyapeeth Medical College, Pune on or after Sept., 2006).

(2)	(3)
“Master of Surgery (Orthopedics)”	MS (Orthopedics) (This shall be a recognized medical qualification when granted by Bharati Vidyapeeth Medical College, Pune on or after August, 2006).
“Diploma in Gynaecology & Obstetrics”	D.G.O. (This shall be a recognized medical qualification when granted by Bharati Vidyapeeth Medical College, Pune on or after August, 2006).
“Diploma in Dermatology, Venereology & Leprosy”	D.D.V.L. (This shall be a recognized medical qualification when granted by Bharati Vidyapeeth Medical College, Pune on or after August, 2006).
“Diploma in Venereology & Dermatology”	D.V.D. (This shall be a recognized medical qualification when granted by Bharati Vidyapeeth Medical College, Pune on or after August, 2006).
“Master of Surgery (Ophthalmology)”	MS (Ophthalmology) (This shall be a recognized medical qualification when granted by Bharati Vidyapeeth Medical College, Pune on or after August, 2006).
“Diploma in Ophthalmology”	D.O. (This shall be a recognized medical qualification when granted by Bharati Vidyapeeth Medical College, Pune on or after August, 2006).
“Doctor of Medicine (Pathology)”	MD (Pathology) (This shall be a recognized medical qualification when granted by Bharati Vidyapeeth Medical College, Pune on or after February, 2007).
“Doctor of Medicine (Dermatology)”	MD (Dermatology) (This shall be a recognized medical qualification when granted by Bharati Vidyapeeth Medical College, Pune on or after February, 2007).
“Diploma in Child Health”	D.C.H. (This shall be a recognized medical qualification when granted by Bharati Vidyapeeth Medical College, Pune on or after August, 2006).
“Doctor of Medicine (Anaesthesia)”	MD (Anaesthesia) (This shall be a recognized medical qualification when granted by Bharati Vidyapeeth Medical College, Pune on or after August, 2006).
“Diploma in Anaesthesia”	D.A. (This shall be a recognized medical qualification when granted by Bharati Vidyapeeth Medical College, Pune on or after August, 2006).
“Doctor of Medicine (Physiology)”	MD (Physiology) (This shall be a recognized medical qualification when granted by Bharati Vidyapeeth Medical College, Pune on or after August, 2006).

(b) against "Marathwada University", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—

(2)	(3)
"Master of Surgery (Otorhinolaryngology)"	MS (E.N.T.) (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after 1993).
"Diploma in Otorhinolaryngology"	D.L.O. (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after 1992).
"Doctor of Medicine (Pharmacology)"	MD (Pharmacology) (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after 1982).
"Doctor of Medicine (Anaesthesiology)"	MD (Anaesthesiology) (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after October, 1981).
"Diploma in Anaesthesia"	D.A. (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after October, 1981).
"Doctor of Medicine (Obst. & Gynae)"	MD (Obst. & Gynae) (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after April, 1993).
"Diploma in Gynaecology & Obstetrics"	D.G.O. (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after April, 1992).
"Master of Surgery (Otorhinolaryngology)"	MS (E.N.T.) (This shall be a recognized medical qualification when granted by Govt. Medical College, Aurangabad on or after March, 1982).
"Diploma in Otorhinolaryngology"	D.L.O. (This shall be a recognized medical qualification when granted by Govt. Medical College, Aurangabad on or after March, 1982).

(c) against "Dr. Babasaheb Ambedkar Marathwada University", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—

"Master of Surgery (Otorhinolaryngology)"	MS (E.N.T.) (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after 1993).
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(2)	(3)
“Diploma in Otorhinolaryngology”	D.L.O. (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after 1992).
“Doctor of Medicine (Pharmacology)”	MD (Pharmacology) (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after 1982).
“Doctor of Medicine (Anaesthesiology)”	MD (Anaesthesiology) (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after October, 1981).
“Diploma in Anaesthesia”	D.A. (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after October, 1981).
“Doctor of Medicine (Obst. & Gynae)”	MD (Obst. & Gynae) (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after April, 1993).
“Diploma in Gynaecology & Obstetrics”	D.G.O. (This shall be a recognized medical qualification when granted by S.R.T.R. Medical College, Ambajogai on or after April, 1992).
“Master of Surgery (Ophthalmology)”	MS (Ophthalmology) (This shall be a recognized medical qualification when granted by M.G.M. Medical College, Aurangabad on or after January, 2005).
“Doctor of Medicine (General Medicine)”	MD (General Medicine) (This shall be a recognized medical qualification when granted by M.G.M. Medical College, Aurangabad on or after February, 2006).
“Master of Surgery (General Surgery)”	MS (General Surgery) (This shall be a recognized medical qualification when granted by M.G.M. Medical College, Aurangabad on or after August, 2005).
“Master of Surgery (Otorhinolaryngology)”	MS (E.N.T.) (This shall be a recognized medical qualification when granted by Govt. Medical College, Aurangabad on or after March, 1982).
“Diploma in Otorhinolaryngology”	D.L.O. (This shall be a recognized medical qualification when granted by Govt. Medical College, Aurangabad on or after March, 1982).

नई दिल्ली, 24 अक्टूबर, 2007

का.आ. 3205.—भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :-

उक्त अनुसूची में-

(क) “मैसूर विश्वविद्यालय” के सामने ‘मान्यताप्राप्त आयुर्विज्ञान अर्हता’ [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और ‘पंजीकरण के लिए संक्षेपण’ [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :-

(2)	(3)
“डाक्टर आफ मेडिसिन (शरीर क्रिया विज्ञान)”	एम.डी. (शरीर क्रिया विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.जे.एम. मेडिकल कालेज, दावनगिरी द्वारा 1973 में अथवा उसके बाद 1986 तक प्रदान की गई हो)।
(ख) “कुवेम्पु विश्वविद्यालय” के सामने ‘मान्यताप्राप्त आयुर्विज्ञान अर्हता’ [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और ‘पंजीकरण के लिए संक्षेपण’ (इसके बाद स्तंभ (3) के रूप में संदर्भित) शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :-	
“डाक्टर आफ मेडिसिन (शरीर क्रिया विज्ञान)”	एम.डी. (शरीर क्रिया विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.जे.एम. मेडिकल कालेज, दावनगिरी द्वारा 1987 में अथवा उसके बाद 1995 तक प्रदान की गई हो)।
(ग) “राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलौर” के सामने ‘मान्यताप्राप्त आयुर्विज्ञान अर्हता’ [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और ‘पंजीकरण के लिए संक्षेपण’ [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :-	
“डाक्टर आफ मेडिसिन/मास्टर ऑफ सर्जरी (प्रसूति एवं स्त्री रोग विज्ञान)”	एम.डी./एम.एस. (प्रसूति एवं स्त्री रोग विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.जे.एम. मेडिकल कालेज, दावनगिरी द्वारा प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (बाल रोग चिकित्सा)”	एम.डी. (बाल रोग चिकित्सा) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.जे.एम. मेडिकल कालेज, दावनगिरी द्वारा प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (शरीर क्रिया विज्ञान)”	एम.डी. (शरीर क्रिया विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.जे.एम. मेडिकल कालेज, दावनगिरी द्वारा 1996 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (जैव रसायन)”	एम.डी. (जैव रसायन) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.जे.एम. मेडिकल कालेज, दावनगिरी द्वारा प्रदान की गई हो)।
“मास्टर आफ सर्जरी (आर्थोपेडिक्स)”	एम.एस. (आर्थोपेडिक्स) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.जे.एम. मेडिकल कालेज, दावनगिरी द्वारा प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (त्वचा विज्ञान/त्वचा विज्ञान, रतिज रोग विज्ञान एवं कुष्ठ रोग)”	एम. डी. (त्वचा विज्ञान/त्वचा विज्ञान, रतिज रोग विज्ञान एवं कुष्ठ रोग) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.जे.एम. मेडिकल कालेज, दावनगिरी द्वारा प्रदान की गई हो)।
“मास्टर ऑफ सर्जरी (कान नाक गला)”	एम. एस. (कान नाक गला) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.जे.एम. मेडिकल कालेज, दावनगिरी द्वारा प्रदान की गई हो)।
“मास्टर ऑफ सर्जरी (सामान्य शल्य चिकित्सा)”	एम. एस. (सामान्य शल्य चिकित्सा) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.जे.एम. मेडिकल कालेज, दावनगिरी द्वारा प्रदान की गई हो)।

[illegible]

(2)	(3)
“डिप्लोमा इन मेडिकल रेडियो डायग्नोसिस”	डी.एम.आर.डी. (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह अल अमीन मेडिकल कालेज, बीजापुर द्वारा अक्टूबर, 2005 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (शरीर क्रिया विज्ञान)”	एम.डी. (शरीर क्रिया विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह एम.एस. रमैया मेडिकल कालेज, बंगलौर द्वारा प्रदान की गई हो)।
(घ) “गुलबर्गा विश्वविद्यालय और राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलौर” के सामने ‘मान्यता प्राप्त आयुर्विज्ञान अर्हता’ [(इसके बाद स्तंभ (2) के रूप में संदर्भित)] शीर्ष के अन्तर्गत अन्तिम प्रविष्टि और ‘पंजीकरण के लिए संक्षेपण’ [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित रखा जाएगा, अर्थात् :-	
“मास्टर ऑफ सर्जरी (विकलांग विज्ञान)”	एम.एस. (विकलांग विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह विजय नगर इंस्टीट्यूट ऑफ मेडिकल साइंसिज, बेल्लारी द्वारा 1994 में अथवा उसके बाद प्रदान की गई हो)।
“विकलांग विज्ञान में डिप्लोमा”	डी. आर्थो. (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह विजय नगर इंस्टीट्यूट ऑफ मेडिकल साइंसिज, बेल्लारी द्वारा 1982 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (त्वचा विज्ञान/त्वचा विज्ञान, रतिज रोग विज्ञान एवं कुष्ठ रोग)”	एम. डी. (डीडीवीएल) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह विजय नगर इंस्टीट्यूट ऑफ मेडिकल साइंसिज, बेल्लारी द्वारा जनवरी, 1982 में अथवा उसके बाद प्रदान की गई हो)।
“रतिज रोग विज्ञान और त्वचा विज्ञान में डिप्लोमा”	डी.वी.डी. (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह विजय नगर इंस्टीट्यूट ऑफ मेडिकल साइंसिज, बेल्लारी द्वारा जनवरी, 1983 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर ऑफ मेडिसिन (प्रसूति एवं स्त्री रोग विज्ञान)”	एम. डी. (प्रसूति एवं स्त्री रोग विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह विजय नगर इंस्टीट्यूट ऑफ मेडिकल साइंसिज, बेल्लारी द्वारा जनवरी, 1982 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर ऑफ मेडिसिन (पैथोलाजी)”	एम.डी. (पैथोलॉजी) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह कैपगोडा इंस्टीट्यूट ऑफ मेडिकल साइंसिज, बंगलौर द्वारा मई, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“मास्टर ऑफ सर्जरी (जनरल सर्जरी)”	एम. एस. (जनरल सर्जरी) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह कैपगोडा इंस्टीट्यूट ऑफ मेडिकल साइंसिज, बंगलौर द्वारा प्रदान की गई हो)।
“डाक्टर ऑफ मेडिसिन (सूक्ष्मजीव विज्ञान)”	एम. डी. (सूक्ष्मजीव विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि कैपगोडा इंस्टीट्यूट ऑफ मेडिकल साइंसिज, बंगलौर द्वारा मई, 2006 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (बाल रोग चिकित्सा)”	एम.डी. (बाल रोग चिकित्सा) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह कैपगोडा इंस्टीट्यूट ऑफ मेडिकल साइंसिज, बंगलौर द्वारा प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (पैथोलाजी)”	एम.डी. (पैथोलाजी) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह कमांड अस्पताल, एयर फोर्स, बंगलौर द्वारा अक्टूबर, 2006 में अथवा उसके बाद प्रदान की गई हो)।

(2)	(3)
“मजिस्ट्रार चिरूरुगई (मूत्र रोग विज्ञान)”	एम.सी.एच. (मूत्र रोग विज्ञान) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह जे.एन. मेडिकल कालेज, बेलगाम द्वारा अप्रैल, 2005 में अथवा उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (संवेदनाहरण)”	एम.डी. (संवेदनाहरण) (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि यह सेंट जान मेडिकल कालेज, बंगलौर द्वारा प्रदान की गई हो)।
‘संवेदनाहरण में डिप्लोमा’	डी.ए. (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि सेंट जान मेडिकल कालेज, बंगलौर द्वारा प्रदान की गई हो)।
‘प्रसूति एवं स्त्री रोग विज्ञान में डिप्लोमा’	डी.जी.ओ. (यह एक मान्यताप्राप्त आयुर्विज्ञान अर्हता होगी यदि विजयनगर इंस्टीट्यूट ऑफ साइंसिज, बेल्लारी द्वारा जनवरी, 1983 में अथवा उसके बाद प्रदान की गई हो)।

[सं. यू-12016/70/2006-एमई (पी-11)]

एस.के. मिश्र, अवर सचिव

New Delhi, the 24th October, 2007

S. O. 3205.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said Schedule —

(a) against “Mysore University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:—

(2)	(3)
“Doctor of Medicine (Physiology)”	MD (Physiology) (This shall be a recognized medical qualification when granted by J. J. M. Medical College, Davangere on or after 1973 to 1986).

(b) against “Kuvempu University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:—

“Doctor of Medicine (Physiology)”	MD (Physiology) (This shall be a recognized medical qualification when granted by J. J. M. Medical College, Davangere on or after 1987 to 1995).
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(c) against “Rajiv Gandhi University of Health Sciences, Bangalore”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:—

“Doctor of Medicine/ “Master of Surgery (Obst. & Gynae.)”	M. D/M. S. (Obst. & Gynae) (This shall be a recognized medical qualification when granted by J. J. M. Medical College, Davangere.
“Doctor of Medicine (Paediatrics)”	MD (Paediatrics) (This shall be a recognized medical qualification when granted by J. J. M. Medical College, Davangere.
“Doctor of Medicine (Physiology)”	MD (Physiology) (This shall be a recognized medical qualification when granted by J. J. M. Medical College, Davangere on or after 1996).
“Doctor of Medicine (Biochemistry)”	MD (Biochemistry) (This shall be a recognized medical qualification when granted by J. J. M. Medical College, Davangere.

(2)	(3)
“Master of Surgery(Orthopaedics)”	MS (Orthopaedics) (This shall be a recognized medical qualification when granted by J. J. M. Medical College, Davangere.)
“Doctor of Medicine(Dermatology/ Dermatology, Venerology & Leprosy)”	MD (Dermatology/Dermatology, Venerology & Leprosy) (This shall be a recognized medical qualification when granted by J. J. M. Medical College, Davangere.)
“Master of Surgery(ENT)”	MS (ENT) (This shall be a recognized medical qualification when granted by J. J. M. Medical College, Davangere.)
“Master of Surgery(General Surgery)”	MS (General Surgery) (This shall be a recognized medical qualification when granted by J. J. M. Medical College, Davangere.)
“Doctor of Medicine(General Medicine)”	MD (General Medicine) (This shall be a recognized medical qualification when granted by Sri Devraj Urs Medical College, Tamaka Kolar.)
“Doctor of Medicine(Pathology)”	MD (Pathology) (This shall be a recognized medical qualification when granted by Sri Devraj Urs Medical College, Tamaka Kolar.)
“Master of Surgery/Doctor of Medicine (Obst. & Gynae)”	MS/MD (Obst. & Gynae) (This shall be a recognized medical qualification when granted by Sri Devraj Urs Medical College, Tamaka Kolar.)
“Doctor of Medicine(Paediatrics)”	MD (Paediatrics) (This shall be a recognized medical qualification when granted by Sri Devraj Urs Medical College, Tamaka Kolar.)
“Master of Surgery(ENT)”	MS (ENT) (This shall be a recognized medical qualification when granted by Sri Devraj Urs Medical College, Tamaka Kolar.)
“Master of Surgery(General Surgery)”	MS (General Surgery) (This shall be a recognized medical qualification when granted by Sri Devraj Urs Medical College, Tamaka Kolar.)
“Master of Surgery(Orthopaedics)”	MS (Orthopaedics) (This shall be a recognized medical qualification when granted by Sri Devraj Urs Medical College, Tamaka Kolar.)
“Doctor of Medicine(Obst. & Gynae)”	MD (Obst. & Gynae) (This shall be a recognized medical qualification when granted by Sree Siddhartha Medical College, Tumkur on or after December, 2004.)
“Doctor of Medicine(Microbiology)”	MD (Microbiology) (This shall be a recognized medical qualification when granted by Sree Siddhartha Medical College, Tumkur on or after December, 2002.)
“Master of Surgery (Orthopaedics)”	MS (Orthopaedics) (This shall be a recognized medical qualification when granted by Sree Siddhartha Medical College, Tumkur on or after November, 2004.)
“Master of Surgery (General Surgery)”	MS (General Surgery) (This shall be a recognized medical qualification when granted by M. R. Medical College, Gulbarga.)
“Doctor of Medicine(Biochemistry)”	MD (Biochemistry) (This shall be a recognized medical qualification when granted by M. R. Medical College, Gulbarga.)
“Master of Surgery (General Surgery)”	MS (General Surgery) (This shall be a recognized medical qualification when granted by Father Muller Medical College, Mangalore.)
“Doctor of Medicine(General Medicine)”	MD (General Medicine) (This shall be a recognized medical qualification when granted by Father Muller Medical College, Mangalore.)

(2)	(3)
“Doctor of Medicine(Radio Diagnosis)”	MD (Radio Diagnosis) (This shall be a recognized medical qualification when granted by Father Muller Medical College, Mangalore on or after May, 2005)
“Diploma in Medical Radio Dagnosis”	D.M.R.D. (This shall be a recognized medical qualification when granted by AI- Ameen Medical College, Bijapur on or after October, 2005)
“Doctor of Medicine(Pathology)”	MD (Pathology) (This shall be a recognized medical qualification when granted by Kempegowda Instt. of Medical College, Bangalore on or after May, 2006)
“Master of Surgery (General Surgery)”	MS (General Surgery) (This shall be a recognized medical qualification when granted by Kempegowda Instt. of Medical College, Bangalore.)
“Doctor of Medicine(Microbiology)”	MD(Microbiology) (This shall be a recognized medical qualification when granted by Kempegowda Instt. of Medical College, Bangalore on or after May, 2006)
“Doctor of Medicine(Paediatrics)”	MD (Paediatrics) (This shall be a recognized medical qualification when granted by Kempegowda Instt. of Medical College, Bangalore)
“Doctor of Medicine(Pathology)”	MD (Pathology) (This shall be a recognized medical qualification when granted by Command Hospital, Air Force Bangalore on or after October, 2006)
“Magistrar Chirugiae(Urology)”	M.Ch (Urology) (This shall be a recognized medical qualification when granted by J.N. Medical College, Belgaum on or after April, 2005)
“Doctor of Medicine(Anaesthesia)”	MD (Anaesthesia) (This shall be a recognized medical qualification when granted by St. John's Medical College, Bangalore.)
“Diploma in Anaesthesia”	D.A. (This shall be a recognized medical qualification when granted by St. John's Medical College, Bangalore.)
“Doctor of Medicine(Physiology)”	MD (Physiology) (This shall be a recognized medical qualification when granted by M. S. Ramaiah Medical College, Bangalore.)
(d) against “ Gulbarga University & Rajiv Gandhi University of Health Sciences, Bangalore”, under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—	
“Master of Surgery (Orthopedics)”	MS (Orthopedics) (This shall be a recognized medical qualification when granted by Vijayanagar Instt. of Medical Sciences, Bellary on or after 1994)
“Diploma in Orthopedics	D.Ortho (This shall be a recognized medical qualification when granted by Vijayanagar Instt. of Medical Sciences, Bellary on or after 1982)
“Doctor of Medicine(Dermatology/ Dermatology, Venereology & Leprosy)”	MD (DDVL) (This shall be a recognized medical qualification when granted by Vijayanagar Instt. of Medical Sciences, Bellary on or after January, 1982)
“Diploma in Venereology & Dermatology”	D. V. D. (This shall be a recognized medical qualification when granted by Vijayanagar Instt. of Medical Sciences, Bellary on or after January, 1983)
“Doctor of Medicine(Obst. & Gynae.)”	MD (Obst. & Gynae.) (This shall be a recognized medical qualification when granted by Vijayanagar Instt. of Medical Sciences, Bellary on or after January, 1982)
“Diploma in Gynaecology & Obstetrics”	D.G.O. (This shall be a recognized medical qualification when granted by Vijayanagar Instt. of Medical Sciences, Bellary on or after January, 1983)

[No. U. 12012/70/2006-ME(P-II)]

S. K. Mishra, Under Secy.

**संचार एवं सूचना प्रौद्योगिकी मंत्रालय
(डाक विभाग)**

नई दिल्ली, 25 अक्टूबर, 2007

का. आ. 3206.—राजभाषा नियम (संघ के शासकीय प्रयोजन के लिए प्रयोग) 1976 के नियम -10 के उप नियम (4) के अनुसरण में केन्द्र सरकार, डाक विभाग के अधीनस्थ कार्यालयों को जिसके 80 प्रतिशत कर्मचारी (ग्रुप घ कर्मचारियों को छोड़कर) ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

क्र. सं.	कार्यालय का नाम	पिन कोड नं.
1.	मुख्य डाकघर मण्डी	175001
2.	औट	175121
3.	बलद्वाडा	175033
4.	बरोट	176122
5.	भाम्बला	175004
6.	भंगरोट	175021
7.	चोलथरा	175037
8.	चौतडा	175032
9.	धर्मपुर	175040
10.	दुब्बल	176123
11.	गागल	175006
12.	गोपालपुर	175007
13.	गुरकोठा	175036
14.	जमणी	175049
15.	जोगिन्दरनगर	176120
16.	जेलरोड़	175001
17.	कटौली	175005
18.	खलियार	175001
19.	कोटली	175003
20.	लडभडोल	176126
21.	मंगवाई मुहल्ला	175001
22.	मंढी	175050
23.	नेरचौक	175008
24.	पुरानी मण्डी	175001
25.	पधार	175021
26.	पंडोह	175124
27.	पड्डल	175001
28.	रिवालसर	175023
29.	रखोह	175042
30.	सजाओपिपलू	175025
31.	साईगलू	175052
32.	समैला	175034
33.	संधोल	176090
34.	सरकाघाट	175024
35.	स्योह	175051
36.	एस पी हाउस	176120
37.	टीहरा	175026
38.	गोन्धला	175140
39.	जाहलमा	175139
40.	लोट	175133

क्र. सं.	कार्यालय का नाम	पिन कोड नं.
41.	उदयपुर	175142
42.	सुन्दरनगर टा. शि.	174402
43.	बग्गी	175027
44.	बगसैड	175035
45.	भोजपुर	175002
46.	चचियोट	175028
47.	चैलचौक	175045
48.	चुराग	171303
49.	डैहर	175030
50.	गोहर	175029
51.	जाच्छ	175039
52.	जैदेवी	175031
53.	जजैहली	175047
54.	कनैड	175137
55.	करसोग	171304
56.	निहरी	175038
57.	पागणा	175046
58.	पुरानानगर	174402
59.	सलापड	174403
60.	सुन्दरनगर-1	174401
61.	तत्तापानी	171302
62.	थुनाग	175048
63.	अखाड़ा बाजार कुल्लू	175101
64.	बबेली	175138
65.	बांहग	175103
66.	बालीचौकी	175106
67.	बन्जार	175123
68.	भुन्तर	175125
69.	भुट्टी	175102
70.	गडसा	175141
71.	हरिपुर	175136
72.	जगतसुख	175143
73.	जरी	175105
74.	कटराई	175129
75.	लराकेलो	175104
76.	लारजी	175122
77.	नगर	175130
78.	रायसन	175128
79.	स्यांज	175134
80.	शमशी	175126
81.	सुल्तानपुर	175101
82.	मण्डी रेलवे डाक सेवा	175001
83.	शिमला रेलवे डाक सेवा	171004
84.	ऊना रेलवे डाक सेवा	174303
85.	हमीरपुर रेलवे डाक सेवा	177001
86.	कालका रेलवे डाक सेवा	133302
87.	पठानकोट रेलवे डाक सेवा	145001

[सं. 11017-1/2007-रा.भा.]

स. चक्रवर्ती, उप महानिदेशक (स्थापना एवं रा. भा.)

MINISTRY OF COMMUNICATION AND IT
(Department of Posts)

New Delhi, the 25th October, 2007

S.O. 3206.— In pursuance of Rule 10(4) of the Official Language (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following Subordinate Offices of the Department of Posts where 80 per cent staff has acquired the working knowledge of Hindi :—

Sl. No.	Name of Office	Pin Code No.
1.	Mandi H. O.	175001
2.	Aut S. O.	175121
3.	Baldwara S. O.	175033
4.	Barot S. O.	176122
5.	Bhambla S. O.	175004
6.	Bhangrotu S. O.	175021
7.	Cholthara S. O.	175037
8.	Chauntra S. O.	175032
9.	Dharampur S. O.	175040
10.	Drubhai S. O.	176123
11.	Gagal S. O.	175006
12.	Gopalpur S. O.	175007
13.	Gurkotha S. O.	175036
14.	Jamni S. O.	175049
15.	Jogindernagar S. O.	176120
16.	Jailroad NDSO	175001
17.	Kalaula S. O.	175005
18.	Khaliar NDSO	175001
19.	Kotli S. O.	175003
20.	Ladbharole S. O.	176126
21.	M. Mohalla NDSO	175001
22.	Marhi S. O.	175050
23.	Nerchowk S. O.	175008
24.	Purani Mandi NDSO	175001
25.	Padhar S. O.	175021
26.	Pandoh S. O.	175124
27.	Paddal EDSO	175001
28.	Rewalsar S. O.	175023
29.	Rakhoh S. O.	175042
30.	Sajaopiplu S. O.	175025
31.	Saigloo S. O.	175052
32.	Samaila S. O.	176034
33.	Sandhole S. O.	176090
34.	Sarkaghat S. O.	175024
35.	Seoh S. O.	175051
36.	S. P. House NDSO	176120
37.	Tihra S. O.	175026
38.	Gondhla S. O.	175140
39.	Jahlma S. O.	175139
40.	Lote S. O.	175133

Sl. No.	Name of Office	Pin Code No.
41.	Udaipur S. O.	175142
42.	Sundernagar T/S H. O.	174402
43.	Baggi S. O.	175027
44.	Bagsaid S. O.	175035
45.	Bhojpur S. O.	175002
46.	Chachiot S. O.	175028
47.	Chailchowk EDSO	175045
48.	Churag EDSO	171303
49.	Dehar S. O.	175030
50.	Gohar S. O.	175029
51.	Jachh S. O.	175039
52.	Jaidevi S. O.	175031
53.	Janjehli S. O.	175047
54.	Kanaid EDSO	175137
55.	Karsog S. O.	171304
56.	Nihri S. O.	175038
57.	Pangna S. O.	175046
58.	Purana Nagar NDSO	174402
59.	Slapper S. O.	174403
60.	Sundernagar-I S. O.	174401
61.	Tattapani S. O.	171302
62.	Thunag S. O.	175048
63.	A. B. Kullu NDSO	175101
64.	Babeli S. O.	175138
65.	Bahang S. O.	175103
66.	Balichowki S. O.	175106
67.	Benjar S. O.	175123
68.	Bhuntar S. O.	175125
69.	Bhutti S. O.	175102
70.	Garsa S. O.	175141
71.	Haripur S. O.	175136
72.	Jagatsukh S. O.	175143
73.	Jaree S. O.	175105
74.	katrain	175129
75.	Larankelo S. O.	175104
76.	Larji S. O.	175122
77.	Naggar S. O.	175130
78.	Raison S. O.	175128
79.	Sianj	175134
80.	Shamshi S. O.	175126
81.	Sultanpur NDSO	175101
82.	Mandi Railway Mail Service	175001
83.	Shimla Railway Mail Service	171004
84.	Una Railway Mail Service	174303
85.	Hairpur Railway Mail Service	177001
86.	Kalka Railway Mail Service	133302
87.	Pathankot Railway Mail Service	145001

[No. 11017-1/2007-OL]

S. K. CHAKRABARTI, Dy. Director General (Estt. & OL)

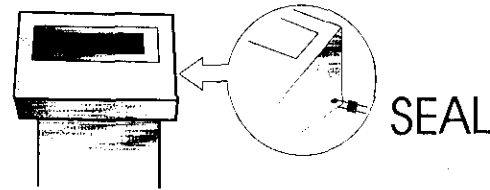
उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

नई दिल्ली, 3 अक्टूबर, 2007

का.आ. 3207.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की सम्भावना है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाये रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स अलेक्जेंडर स्कैल कं., 1115/1, पनकोरनाका, अहमदाबाद-380 001, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-3) वाले "ए एल एक्स-के" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (व्यक्ति तोलन मशीन-कोइन ओपरेटेड) के माडल का, जिसके ब्रांड का नाम "अस्को" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/07/435 समानुद्देशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।



SCHEMATIC DIAGRAM OF SEALING PROVISION

उक्त माडल विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 200 कि.ग्रा. और न्यूनतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 200 ग्रा. है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

मशीन को कपटपूर्ण व्यवहारों के लिये खोलने से रोकने के लिये सीलबन्ध किया जायेगा और माडल को बेचने से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तन/परिवर्धन नहीं किया जायेगा।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) में प्रदत्त शक्तियों का प्रयोग करते हुए यथा घोषणा करती है कि उक्त माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित माडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिये 500 से 10,000 तक की रेंज में मापमान अंतराल (एन) सहित 100 कि.ग्रा. से 200 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (211)/2006]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

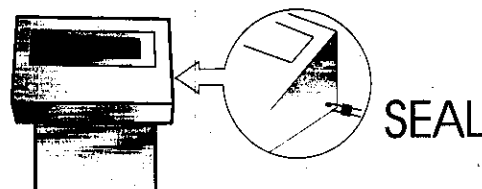
MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**(Department of Consumer Affairs)**

New Delhi, the 3rd October, 2007

S.O. 3207.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non automatic weighing instrument (Person Weighing machine-coin operated type) with digital indication of "ALX-K" series of medium accuracy (accuracy class-III) and with brand name "ASCO" (herein referred to as the said model), manufactured by M/s Alexandra Scale Co., 1115/1, Pankornaka, Ahmedabad-380001, Gujarat and which is assigned the approval mark IND/09/07/435 :

The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 200 kg and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply.



SCHEMATIC DIAGRAM OF SEALING PROVISION

The sealing shall be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of the section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity between 100 kg and upto 200 kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and 'e' value of the form 1×10^k , 2×10^k , or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (211)/2006]

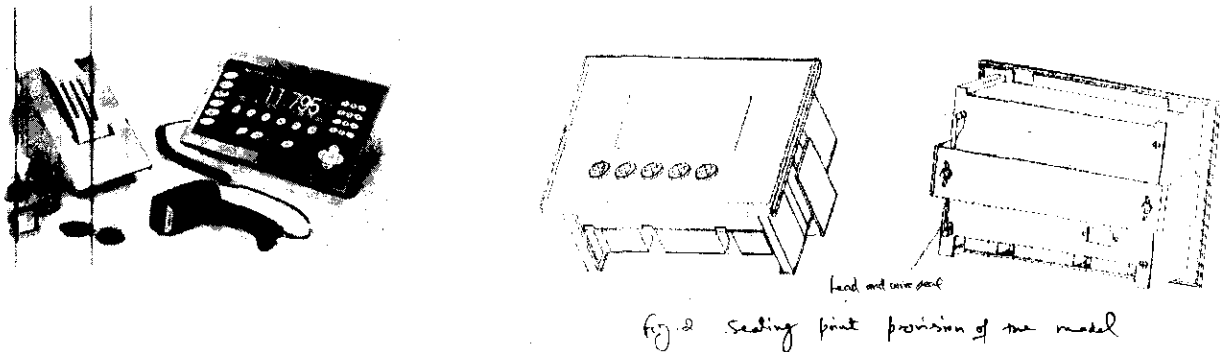
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 19 अक्टूबर, 2007

का.आ. 3208.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की सम्भावना है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाये रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स मेटलर-टोलेडो इंडिया प्रा.लि., अमर हिल्स, साकी विहार रोड, पोवाई, मुंबई-400 072 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "आई एन डी 690 (T)-III" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मेटलर टोलेडो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2007/391 समानुद्देशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

SCHEMATIC DIAGRAM FOR SEALING ARRANGEMENT



उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। वैक्यूम फ्लोरोसेंट डिस्पले (वी एफ डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

मशीन को कपटपूर्ण व्यवहारों के लिये खोलने से रोकने के लिये सीलबन्द किया जायेगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जायेगा।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिये 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(199)/2006]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th October, 2007

S.O. 3208.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top type) with digital indication of "IND 690 (T)-III" series of medium accuracy (accuracy class-III) and with brand name "Mettler Toledo" (herein referred to as the said model), manufactured by M/s. Mettler-Toledo India Private Limited, Amar Hills, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/09/2007/391;

The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 30 kg and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Vacuum Fluorescent Display (VFD) indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply. In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

SCHEMATIC DIAGRAM FOR SEALING ARRANGEMENT

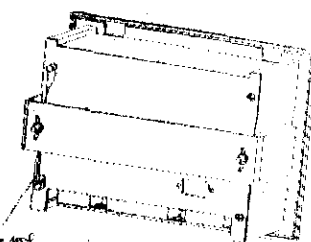
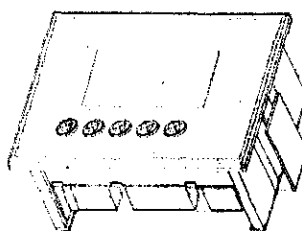
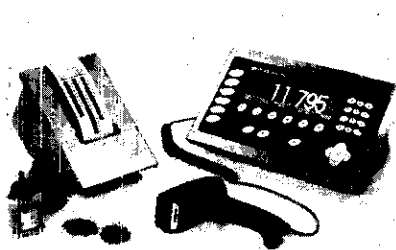


fig. 2. Sealing point provision of the model

Further, in exercise of the powers conferred by sub-section (12) of the section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity upto 50 kg and with the number of verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5g or more and with 'e' value of the form 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (199)/2006]

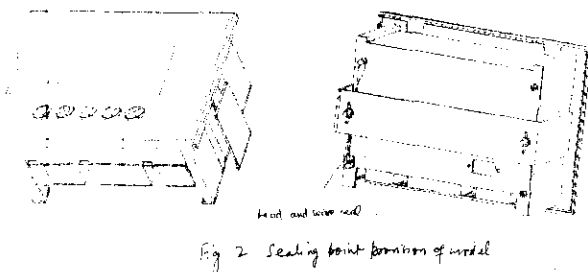
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 19 अक्टूबर, 2007

का.आ. 3209.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की सम्भावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाये रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स मैटलर-टोलेडो इंडिया प्रा.लि., अमर हिल्स, साकी विहार रोड, पोवाई, मुंबई-400 072 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "आई एन डी 690 (P)-II" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मेटलर टोलेडो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2007/392 समानुद्देशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

SCHEMATIC DIAGRAM FOR SEALING ARRANGEMENT



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 600 कि.ग्रा. है और न्यूनतम क्षमता 2.5 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। वैक्यूम फ्लोरोसेंट डिस्प्ले (वी एफ डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

मशीन को कपटपूर्ण व्यवहारों के लिये खोलने से रोकने के लिये सीलबन्द किया जायेगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जायेगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिये 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21 (199)/2006]

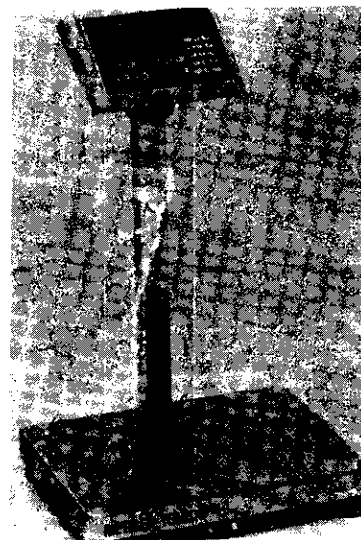
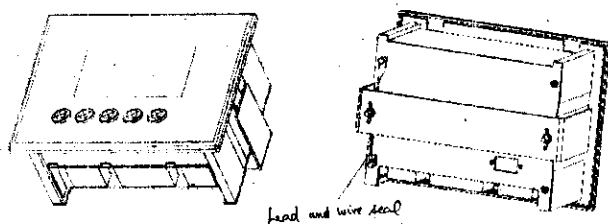
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th October, 2007

S.O. 3209.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "IND 690 (P)-II" series of high accuracy (accuracy class-II) and with brand name "Mettler Toledo" (herein referred to as the said model), manufactured by M/s. Mettler-Toledo India Private Limited, Amar Hills, Saki Vihar Road, Powai, Mumbai-400072 and which is assigned the approval mark IND/09/2007/392;

SCHEMATIC DIAGRAM FOR SEALING ARRANGEMENT



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 600 kg and minimum capacity of 2.5 kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Vacuum Fluorescent Display (VFD) indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply. In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of the section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity above 50 kg and upto 5000 kg and with number of verification scale interval (n) in the range of 100 to 50000 for 'e' value of 1 mg to 50 mg and with verification scale interval (n) in the range of 5000 to 50000 for 'e' value of 100 mg or more and 'e' value of the form 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (199)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 19 अक्टूबर, 2007

का.आ. 3210.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की सम्भावना है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाये रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स मेटलर-टोलेडो इंडिया प्रा.लि., अमर हिल्स, साकी विहार रोड, पोवाई, मुंबई-400 072 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "आई एन डी 690 (P)-III" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के माडल का, जिसके ब्रांड का नाम "मेटलर टोलेडो" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2007/393 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

SCHEMATIC DIAGRAM FOR SEALING ARRANGEMENT

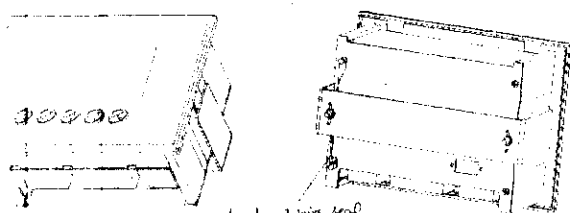
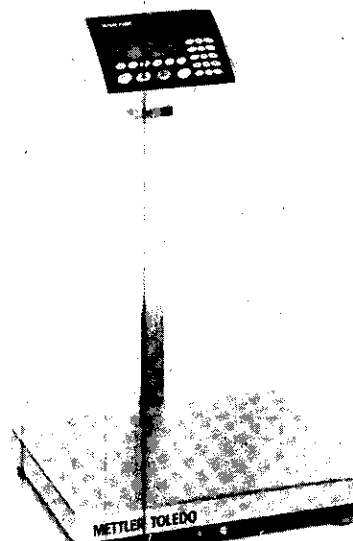


Fig. 2 Sealing point provision of the model



उक्त माडल एक विकृत गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। वैक्यूम फ्लोरोसेंट डिस्प्ले (वी एफ डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

मशीन को कपटपूर्ण व्यवहारों के लिये खोलने से रोकने के लिये सीलबन्द किया जायेगा और माडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जायेगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त माडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित माडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिये 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10 , 2×10 या 5×10 के हैं, जो धनात्मक या ऋणात्मक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू एम 21 (199)/2006]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

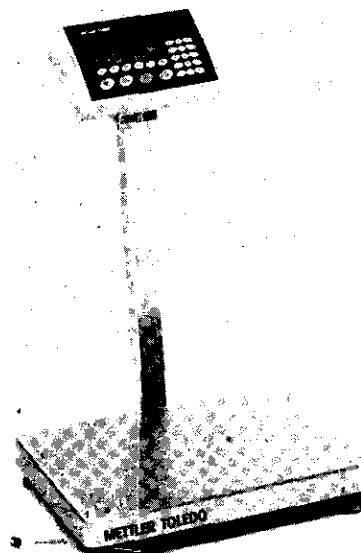
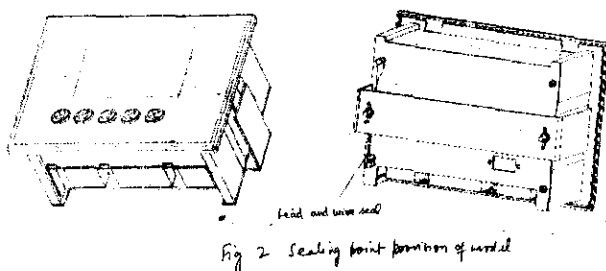
New Delhi, the 19th October, 2007

S.O. 3210.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication of "IND 690 (P)-III" series of medium accuracy (accuracy class-III) and with brand name "Mettler Toledo" (herein referred to as the said Model), manufactured by M/s. Mettler-Toledo India Private Limited, Amar Hills, Saki Vihar Road, Powai, Mumbai-400072 and which is assigned the approval mark IND/09/07/393;

The said Model is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Vacuum Fluorescent Display (VFD) indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply. In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

SCHEMATIC DIAGRAM FOR SEALING ARRANGEMENT



Further, in exercise of the powers conferred by sub-section (12) of the Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity above 50 kg and upto 5000 kg and with the number of verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5g or more and with 'e' value of the form 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the said approved Model has been manufactured.

[F. No. WM-21 (199)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

भारतीय मानक ब्यूरो

नई दिल्ली, 16 अक्टूबर, 2007

का.आ. 3211.—भारतीय मानक ब्यूरो प्रमाणन (विनियम) 1988 की धारा 4 (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (को) के लिए निम्न लाइसेंस प्रदान किया गया/ किये गये हैं:

अनुसूची

क्रम संख्या	भारतीय मानक की संख्या और वर्ष	अनुज्ञप्ति संख्या और लागू होने की तिथि	अनुज्ञप्तिधारक का पता
1	2	3	4
1.	भामा 14543:2004	7779207 2007-09-19	सागर बेवरेजीज, राष्ट्रीय राजमार्ग 8 अ कनैया होटल के सामने, चोटीला, सुरेंद्रनगर, गुजरात-363520
2.	भामा 1417:1999	7780087 2007-09-24	विनायक ज्वैलरज, चोकसी बाजार, जूनागढ़, गुजरात 362001
3.	भामा 1417:1999	7780390 2007-09-24	चौकसी विरजी, चोकसी बाजार, जूनागढ़, गुजरात-362001
4.	भामा 1417:1999	7780491 2007-09-24	लुहार घेलाभाई कालाभाई ज्वैलरज 101, देवदर्शन कोम्पलैक्स, भुपेंद्र रोड, राजकोट, गुजरात-360001
5.	भामा 1417:1999	7769406 2007-09-24	सोनी ललितचंद्र जीवराजभाई रनिंगा, राज मार्ग, उपलेटा, राजकोट, गुजरात
6.	भामा 1417:1999	7768909 2007-08-09	जयसुख लाल जीवराज भाई रनिंगा, कोर्ट के पीछे, मेन बाजार बस स्टैंड रोड, मानवादार, जूनागढ़, गुजरात-362630
7.	भामा 1417:1999	7769002 2007-08-09	आकार गोल्ड, गोल्डन प्लाजा, सोनी बाजार, कोठारिया नाका, राजकोट, गुजरात 360001
8.	भामा 2112:2003	7769103 2007-08-09	आकार गोल्ड, गोल्डन प्लाजा, सोनी बाजार, कोठारिया नाका, राजकोट, गुजरात-360001
9.	भामा 2062:1999	7769810 2007-08-06	एस ए एल स्टील लिमिटेड, सर्वे सं. 245, पायकी गांव भारापार, तालुका गोंधीधाम, कच्छ, गुजरात-370201
10.	भामा 4984:1995	7776908 2007-09-12	अमृत पोलीमरज जी 133, जी आई डी सी मेट्रोडा, कालावड़ रोड, किशन्मेट, राजकोट, गुजरात-360005
11.	भामा 8034:2002	7777102 2007-09-12	स्वराज इलैक्ट्रिकलज, अटिका इंडस्ट्रीयल एरिया, 5-7 कोर्नर, किशन चैम्बरज, राजकोट, गुजरात-360002
12.	भामा 8034:2002	7781190 2007-09-27	शरद पंप इंडस्ट्रीज, 80 फीट रोड, विरानी अघाट, धेबर रोड, दक्षिण राजकोट, गुजरात-360002
13.	भामा 8034:2002	7780289 2007-09-04	जमुना इलैक्ट्रिकलज एवं इंजीनियरिंग, सम्राट इंडस्ट्रीयल एरिया, एस टी वर्कशाप के पीछे, वायर हाऊस के सामने, गोंडल रोड, राजकोट, गुजरात-360004
14.	भामा 8472:1998	7781291 2007-09-27	वरूजराज सेल्स कॉर्पोरेशन, गोकुलनगर 6 अ, परसाना सोसायटी, 50 फीट रोड, राजकोट, गुजरात-360002
15.	भामा 10908:1991	7777001 2007-09-12	गुजरात मेटल इंडस्ट्रीज, पटेल मिल कंपाऊंड, गुलाबनगर रोड, गणेश स्टोरेज के समीप जामनगर, गुजरात-361007
16.	भामा 12269:1987	7766804 2007-08-03	कैप्टन सीमेंट कम्पनी, सिंधोई इलैक्ट्रोनिक्स, पूजा होस्पिटल के नीचे, सनाला रोड, मोरबी, राजकोट, गुजरात-363642
17.	भामा 12269:1987	7780188 2007-09-24	पृथ्वी पोर्टलैंड प्रा.लि., एस. आई डी सी मेन रोड, सर्वे सं. 171/1, प्लाट सं. 15/16, वेरावल (शापर), राजकोट, गुजरात-360002
18.	भामा 12269:1987	7769204 2007-08-09	अक्षर सीमेंट प्रा. लि., 40/41, एस आई डी सी, सातिधाम, वेरावल(शापर), राजकोट, गुजरात-360002
19.	भामा 14543:2004	7767402 2007-08-06	सहजानंद बेवरेजीज, भक्ति बाग, सेनावाला नाका बाहर, हाजिरा रोड, मांडवी, कच्छ, गुजरात

[सं. सी एम डी-1/13:11]

ए. के. तलवार, उप महानिदेश का (मुहर)

BUREAU OF INDIAN STANDARDS

New Delhi, the 16th October, 2007

S.O. 3211.— In the pursuance Section 4 (5) of the Bureau of Indian Standards Certification (Regulations), 1988, the Bureau of Indian Standards hereby notifies that Licence to use Indian Standard Mark particular of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and Year of the Indian Standards	No. and Operative date of Licence	Address of Licensee
1	2	3	4
1.	IS 14543 : 2004	7779207 2007-09-19	Sagar Beverages National Highway, 8-A, Opp. Kanaiya Hotel, Chotila, Surendranagar, Gujarat-363520
2.	IS 1417 : 1999	7780087 2007-09-24	Vinayak Jewellers, Chokshi Bazar, Junagadh, Gujarat-362001
3.	IS 1417 : 1999	7780390 2007-09-24	Choksi Virji, Chokshi Bazar, Junagadh, Gujarat-362001
4.	IS 1417 : 1999	7780491 2007-09-24	Luhaar Ghelabhai Kalabhai Jewellers, 101, Devdarshan Complex, Bhupendra Road, Rajkot, Gujarat-360001
5.	IS 1417 : 1999	7769406 2007-09-24	Soni Lalit Chandra Giv Raj Bhai Raninga, Raj Marg, Upleta, Rajkot, Gujarat
6.	IS 1417 : 1999	7768909 2007-08-09	Jaisukhlal Jivrajbha Raninga, Behind Court, Main Bazar, Bus Stand Road, Manavadar Junagadh, Manavdar, Gujarat-362630
7.	IS 1417 : 1999	7769002 2007-08-09	Onkar Gold, Golden Plaza, Soni Bazar, Kotharia Naka, Rajkot, Gujarat-360001
8.	IS 2112 : 2003	7769103 2007-08-09	Aakar Glod Golden Plaza, Soni Bazar, Kotharia Naka, Rajkot, Gujarat-360001
9.	IS 2062 : 1999	7769810 2007-08-06	S.A.L. Steel Limited, Survey No. 245, Paiki, Village : Bharapar, Tal : Gandhidham, Kachchh, Gujarat-370201
10.	IS 4984 : 1995	7776908 2007-09-12	Amrut Polymers, G-133, GIDC Metoda, Kalawad Road, Kishanganj, Rajkot, Gujarat-360005
11.	IS 8034 : 2002	7777102 2007-09-12	Swaraj Electricals, Atika Industrial Area, 5-7, Corner, Kishan Chambers, Rajkot, Gujarat-360002
12.	IS 8034 : 2002	7781190 2007-09-27	Sharad Pump Industries, 80, Feet Road, Virani Aghat, Dhebar Road South, Rajkot Gujarat
13.	IS 8034 : 2002	7780289 2007-09-04	Jamuna Electricals & Engineering, Samrat Ind. Area, B/H S.T. Work Shop, Opp. Wire House, Gondal Road, Rajkot, Gujarat-360004
14.	IS 8472 : 1998	7781291 2007-09-27	Vrujraj Sales Corporation, Gokulnagar 6A, Parsana Society, 50 Feet Road, Rajkot, Gujarat-360002
15.	IS 10908 : 1991	7777001 2007-09-12	Gujarat Metal Industries Patel Mill Company Ind., Sularnagar Road, Near Ganesh Storage, Jamnagar, Gujarat-361007
16.	IS 12269 : 1987	7766804 2007-08-03	Captain Cement Co. Sindhoi Electronics, Underpooja Hospital, Sanala Road, Morbi Rajkot, Gujarat-363642

1	2	3	4
17.	IS 12269 : 1987	7780188 2007-09-24	Pruthvi Portland Pvt. Ltd. SIDC Main Road, Survey No. 171/1, Plot No. 15/16, Veraval (Shapar), Rajkot, Gujarat
18.	IS 12269 : 1987	7769204 2007-08-09	Akshar Cement Pvt. Ltd. 40/141, SIDC Santidham, Veraval (Shapar), Rajkot, Gujarat-360002
19.	IS 14543 : 2004	7767402 2007-08-06	Sahjanand Beverages Bhakti Baugh, Sonawala Naka Bahar, Hajira Road, Kachchh, Mandvi, Gujarat

[Ref. : CMD-1/13 : 11]

A.K. TALWAR, Dy. Director General (Marks)

नई दिल्ली, 22 अक्टूबर, 2007

का.आ. 3212.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किये गये हैं :-

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
1	2	3	4
2.	आई एस 7098 (भाग 3) : 1993 की संशोधन संख्या 3	03, सितम्बर, 2007	30-09-2007

इस भारतीय संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : ईटी 09/टी-57]

पी. के. मुखर्जी, वैज्ञा. एफ एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 22nd October, 2007

S.O. 3212.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

S.No.	No. & Year of the Indian Standards	No. & year of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)
2	IS 7098 (Part 3) : 1993 Specification for Cross-linked Polyethylene Insulated Thermoplastic Sheathed Cables Part 3 for working voltages from 66 kV up to and including 220 kV	03, September 2007	30-09-2007

Copy of this Amendment is available with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref. : ET 09/T-57]

P. K. MUKHERJEE, Sc. F & Head (Electrotechnical)

नई दिल्ली, 25 अक्टूबर, 2007

का.आ. 3213.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उप-नियम 5 के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेन्सों को आगे दर्शायी गई तारीख से लाइसेंस स्वीकृत कर दिया गया है :—

अनुसूची

क्रम संख्या	लाइसेंस संख्या	लाइसेंसधारी का नाम व पता	लाइसेंस के अन्तर्गत प्रक्रम संबंध एवं भारतीय मानक सहित	स्वीकृत करने की तिथि
1	2	3	4	5
1.	8853295	मैसर्स कटारीया इंडस्ट्रीज प्रा. लि. 34-44 इंडस्ट्रीएल एरिया, रतलाम (म. प्र.)	आईएस 14333 : 1996 हाय डेनसीटी पालीथिलीन पाइप	07-08-2007
2.	8851190	मैसर्स क्वालीटी इंजीनियरिंग 54-55 सेक्टर एफ, सावर रोड, बालाजी तोलकाटे के पीछे, इंदौर (म. प्र.)	आईएस 1363 (भाग 1) : 2002 हेक्शागन हेड बोल्ट, स्क्रू, अण्ड नट्स	08-08-2007
3.	8850390	मैसर्स गोएल एनर्जी एण्ड स्टीलगोएल ट्रेडर्स, गुडीयारी, रायपुर	आईएस 2062 : 1999	09-08-2007
4.	8852495	मैसर्स कटारिया इंडस्ट्रीज प्रा. लि. 34-44 इंडस्ट्रीएल एरिया, रतलाम (म. प्र.)	आईएस 694 : 1990 पी वी सी केबल्स	14-08-2007
5.	8851089	मैसर्स कटारीया इंडस्ट्रीज प्रा. लि. 34-44 इंडस्ट्रीएल एरिया, रतलाम (म. प्र.)	आईएस 14255 : 1995 एरिएल बन्चड केबल्स फार बकिंग होल्टेज	14-08-2007
6.	8851291	मैसर्स स्टेअर व्हेचर बस स्टैण्ड के सामने जी ई रोड, चरोडा, तहसील-पाटन, जिला-दुर्ग (छ.ग.)	आईएस 14543 : 2004 पैकेज्ड ड्रीकिंग वाटर	14-08-2007
7.	8856204	मैसर्स युरो आल्टरनेटीव पावर सिस्टम्स (इंडिया) प्रा. लिमिटेड 6, जावरा कम्पाउन्ड, भारत गैस के पास, इंदौर (म.प्र.)	आईएस 15558 : 2005 डोमेस्टिक वाटर हिटर	28-08-2007
8.	8857307	मैसर्स किंग ट्यूब्स इंडिया 117, गुप्ता कंपाउंड, पीपलीया, ए. बी. रोड, इंदौर (म.प्र.)	आईएस 9537 (भाग 3) : 1983 कन्ड्यूट पाइप	31-08-2007
9.	8858511	मैसर्स युगांतर पावर एण्ड स्टील मनीषा बिडिंग, राजेन्द्रनगर चौक, बिलासपुर (छ.ग.)	आईएस 1786 : 1985 एचएसएसडीबार	07-09-2007
10.	8864607	मैसर्स मीरा इंडस्ट्रीज ए-21, नवलाखा काम्प्लेक्स, अग्रसेन चौक, नवलाखा, इंदौर	आईएस 694 : 1990 पी वी सी केबल्स	24-09-2007

[सं. केन्द्रीय प्रमाणन/13 : 11]

ए. के. तलवार, उपमहानिदेशक (मुहर)

New Delhi, the 25th October, 2007

S.O. 3213.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification) Regulation, 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following Schedule :

SCHEDULE

Sl. No.	Licence No.	Name and Address of the Licensees	IS No. and Title	Grant Date
(1)	(2)	(3)	(4)	(5)
1.	8853295	M/s Kataria Industries Pvt. Ltd., 34-44 Industrial Area, Ratlam (MP)	IS14333:1996 High Density Polythelene Pipe for sewerage	07-08-2007
2.	8851190	M/s Quality Engineering 54-55 Sector F, Sanwer Road, Behind Balaji Tolkante, Indore (M P)	IS 1363 (P 1) : 2002 Hexagon Head Bolts, Screw And Nuts	08-08-2007
3.	8850390	M/s Goyal Energy and steel, Goyal Traders, Gudivari, Raipur	IS 2062 : 1999 Strucutral Steel	09-08-2007
4.	8852495	M/s Kataria Industries Pvt. Ltd., 34-44 Industrial Area, Ratlam (MP)	IS 694 : 1990 PVC Insulated cables for working voltage upto and including 1100V	14-08-2007
5.	8851089	M/s Kataria Industries Pvt. Ltd., 34-44, Industrial Area, Ratlam (M P)	IS 14255 : 1995 Aerial Bunched Cables for working voltage upto and including 1100V	14-08-2007
6.	8851291	M/s Stair Venture Opposite Bus Stand, GE Road, Charoda, Tal - Patan, District - Durg (C G)	IS 14543 : 2004 PDW	14-08-2004
7.	8856204	M/s Uro Alternative Power Systems (India) Pvt. Limited 6-Jawara Compound, Near Bharat Gas, Indore (M P)	IS 15558:2005 Domestic Water Heater with	28-08-2007 for use LPG
8.	8857307	M/s King Tubes India 117, Gupta Compound, Pipliya, AB Road, Indore (M P)	IS 9537 (P-3):1983 Conduits For electrical	31-08-2007 installations
9.	8858511	M/s Yugantar Power and Steel Manisha, Building, Rajendranagar Chowk, Bilaspur (C G)	IS 1786:1985 HSSD	07-09-2007 BAR
10.	8864607	M/s Meera Industries A-21, Navlakha Complex, Agrasen Chowk, Navlakha, Indore (M P)	IS 694 : 1990 PVC Insulated cables for working voltage up to and including 1100V	24-09-2007

[No. CMD/13:11]

A. K. TALWAR, Dy. Director General (Marks)

नई दिल्ली, 25 अक्टूबर, 2007

का.आ. 3214.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 5 के उप-नियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेन्सों को आगे दर्शायी गई तारीख से लाइसेंस रद्द कर दिया गया है :—

अनुसूची

क्रम संख्या	लाइसेंस संख्या	लाइसेंसधारी का नाम व पता	लाइसेंस के अन्तर्गत प्रक्रम संबंध एवं भारतीय मानक सहित	रद्द करने की तिथि
1	2	3	4	5
1.	8813081	मैसर्स सौरभ रोलिंग मिल्स प्रा. लि. खसरा नं. 102/2, 100, 111/1, 111/2, 114 गांव कनेरा, ब्लाक धरसीया, उर्ला, रायपुर	आई एस 1786 : 1985 हाई स्ट्रेंथ डीफार्मड बार	04-07-2007
2.	878188	मैसर्स जींदल स्टील एण्ड पावर लिमिटेड पोस्ट बाक्स नं. 16, खरसीया रोड, रायगड (छ.ग.)	आई एस 8500 : 1991 स्ट्रक्चरल स्टील्स	30-07-2007
3.	8805484	मैसर्स सीम्पलेक्स इंजीनियरिंग कंपनी प्लॉट नं. 17/1, वंदना ग्लोबल के सामने, फेस-2, सीलतारा, रायपुर	आई एस 398 (भाग 2) : 1996 अल्युमिनियम कंडक्टर्स	08-08-2007
4.	8461581	मैसर्स गंगोत्री मिनरल्स छोटा फवारा, थंडी सड़क, दतीया (म.प्र.)	आई एस 14.43 : 04 पेकेजिंग ड्रिंकिंग वाटर	16-08-2007
5.	8798923	मैसर्स के एम क्राउन कन्सुमेबल प्रा. लिमिटेड, इंडस्ट्रीएल इस्टेट नं. 01, ब्लाक नं. 16/ए, 16बी, 17ए, ए बी रोड, देवास, (म.प्र.)	आई एस 814 : 2004 वैल्विंग इलेक्ट्रोड्स	31-08-2007
6.	8836295	मैसर्स श्रीनील इंटरप्राइजेस 60-61, न्यूइंडस्ट्रीएल एरिया, मंडीदिप, जिला रायसेन (म.प्र.)	आई एस 651 : 1992 साल्टब्लेड स्टोनवेयर पाइप	27-09-2007

[सं. केन्द्रीय प्रमाणन/13 : 13]

ए. के. तलवार, उपमहानिदेशक (मुहर)

SCHEDULE

New Delhi, the 25th October, 2007

S.O. 3214.—In pursuance of Sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (Certification) Regulation 1998, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given have been cancelled with effect from the date indicate against each :

Sl. No.	Licence No.	Name and Address of the Licensees	IS No. and Title	Cancelled Date
(1)	(2)	(3)	(4)	(5)
1.	8813081	M/s Saurabh Rolling Mills Pvt. Ltd., Khasara No.102/2,110, 111/1, 111/2,114, Village: Kanera, Urla, Raipur (CG)	IS 1786:1985 HSSD Bars	04-07-2007
2.	8718188	M/s Jindal Steel and Power Limited, P B No. 16, Kharsia Road, Raigad (CG)	IS 8500:1001 Structural Steel General Engg Purpose	30-07-2007

1	2	3	4	5
3.	8805484	M/s Simplex Engineering Company, Plot No. 17/1, Opposite Vandana Globle, Fase-II, Siltara, Raipur (CG)	IS 398 (P-2): 96 Aluminium Conductor	08-08-2007
4.	8461581	M/s Gangotri Minerals, Small Fawara, Datia, (M P)	IS 14543: 2004 Packaged Drinking Water	16-08-2007
5.	8798923	M/s K M Krown Consumable Pvt. Limited, Industrial Estate No. 01, Block No. 16/A, 16 B, 17/A, A B Road Dewas (M P)	IS 814: 2004 Welding Electrodes	31-08-2007
6.	8836295	M/s Srinil Enterprises 60-61, New Industrial Area, Mandideep, District: Raizen	IS 651:1992 Salt blaz Stoneware Pipes	27-09-2007

[No. CMD/13: 13]

A. K. TALWAR, Dy. Director General (Marks)

नई दिल्ली, 25 अक्टूबर, 2007

का.आ. 3215.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
1	2	3	4
1.	आई एस/आई एस ओ/आई ई सी गार्ड 23 : 1982 तृतीय पक्ष प्रमाणन पद्धतियों के लिए मानकों के प्रति अनुरूपता प्रदर्शन की विधियां-मार्गदर्शिका	-	30 सितम्बर, 2007
2.	आई एस/आई एस ओ/आई ई सी गार्ड 53 : 2005 अनुरूपता मूल्यांकन-उत्पाद प्रमाणन में संगठन गुणता पद्धति के उपयोग के लिए मार्गनिर्देश-मार्गदर्शिका	-	30 सितम्बर, 2007
3.	आई एस/आई एस ओ/आई ई सी गार्ड 28 : 2004 अनुरूपता मूल्यांकन-उत्पादों हेतु तृतीय पक्ष प्रमाणन के लिए मार्गनिर्देश-मार्गदर्शिका	-	30 सितम्बर, 2007
4.	आई एस/आई एस ओ/आई ई सी गार्ड 65 : 1996 उत्पाद प्रमाणन पद्धतियों का प्रचालन करने वाले निकायों की सामान्य अपेक्षाएं-मार्गदर्शिका	-	30 सितम्बर, 2007
5.	आई एस/आई एस ओ/आई ई सी गार्ड 67 : 2004 अनुरूपता मूल्यांकन-उत्पाद प्रमाणन के आधार-मार्गदर्शिका	-	30 सितम्बर, 2007

इन भारतीय मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सं. आईआरडी 1/आई एस/आई एस ओ/आई ई सी गार्ड 23, 53, 28, 65 और 67]

डा. आर. के. बजाज, वैज्ञा. ई एवं प्रमुख (आई आर डी)

New Delhi, the 25th October, 2007

S.O. 3215.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

S.No.	No. & Year of the Indian Standards Established	No. & year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS/ISO/IEC Guide 23 : 1982 Methods of indicating conformity with standards for third Party certification systems—Guidelines	—	30 September, 2007
2.	IS/ISO/IEC Guide 53 : 2005 conformity Assessment—Guidance on the use of an organizations quality management system in product certification—Guidelines	—	30 September, 2007
3.	IS/ISO/IEC Guide 28 : 2004 Conformity assessment Guidance on a Third-Party Certification system for products—Guidelines	—	30 September, 2007
4.	IS/ISO/IEC Guide 65 : 1996 General Requirements for Bodies operating product Certification systems—Guidelines	—	30 September, 2007
5.	IS/ISO/IEC Guide 67: 2004 Conformity Assessment-Fundamentals of Product certification—Guidelines	—	30 September, 2007

Copy of this Amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref. IRD 1/IS/ISO/IEC Guide 23, 53, 28, 65 & 67]

Dr. R. K. BAJAJ, Sc. E & Head (IRD)

नई दिल्ली, 26 अक्टूबर, 2007

का.आ. 3216.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिये गये हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 3097 : 2006 पृष्ठावरित पार्टिकल बोर्ड— विशिष्ट (दूसरा पुनरीक्षण)	आईएस 3097 : 1980	01-11-2007

इन भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं ।

[संदर्भ: सीईडी/राजपत्र]

ए. के. सेनी, वैज्ञानिक 'एफ' व प्रमुख (सिविल इंजीनियरी)

New Delhi, the 26th October, 2007

S. O. 3216.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and Year of the Indian Standards Established	No. and Year of Indian Standards, if any, superseded by the new Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 3097 : 2006 for Veneered Particle Boards — Specification (Second Revision)	IS 3097 : 1980	1 November, 2007

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref.: CED/Gazette]

A. K. SAINI, Scientist F & Head (Civil Engineering)

नई दिल्ली, 29 अक्टूबर, 2007

का. आ. 3217.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद् द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :-

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आईएस 15784 : 2007 स्वास्थ्य सुविधाएं-विशेष अपेक्षाएं	—	सितम्बर, 2007

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं ।

[संदर्भ: एम एच डी/जी 3.5]

राकेश चन्द्र, वैज्ञानिक एफ. एवं प्रमुख, (एमएचडी)

New Delhi, the 29th October, 2007

S. O. 3217.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and year of the Indian Standards Established	No. and year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 15784 : 2007 Health care Facilities-Particular Requirements	—	September, 2007

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref.: MHD/G-3.5]

RAKESH CHANDER, Scientist F & Head (MHD)

नई दिल्ली, 30 अक्टूबर, 2007

का. आ. 3218.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक(कों) में संशोधन किया गया/किये गये हैं :—

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 14609 : 1999	संशोधन संख्या 4, अगस्त, 2007	26 अक्टूबर, 2007

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: सीईडी/राजपत्र]

ए.के. सैनी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 30th October, 2007

S. O. 3218.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
1	2	3	4
1.	IS 14609 : 1999	Amendment No. 4, August, 2007	26 October, 2007

Copy of these amendments are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref.: CED/Gazette]

A.K. SAINI, Sc.-'F' & Head (Civil Engg.)

नई दिल्ली, 30 अक्टूबर, 2007

का. आ. 3219.—भारतीय मानक ब्यूरो प्रमाणन (विनियम), 1988 की धारा 4(5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक(को) के लिए लाइसेंस प्रदान किया गया/किये गये हैं :—

अनुसूची

क्रम संख्या	भारतीय मानक की संख्या और वर्ष	अनुज्ञप्ति संख्या और लागू होने की तिथि	अनुज्ञप्तिधारक का पता
(1)	(2)	(3)	(4)
1.	भामा 12269 : 1987	7727992 2007/04/03	अमृत सीमेंट इंडस्ट्रीज, 8अ राष्ट्रीय राजमार्ग, पिपली, मोरबी, जिला राजकोट, गुजरात
2.	भामा 12269 : 1987	7728994 2007/04/05	तिरूपति सीमेंट फैक्टरी, जी आई डी सी एरिया, प्लॉट सं. 175, वनाना रानाव, जिला : पोरबंदर, गुजरात 360550
3.	भामा 12269 : 1987	7731478 2007/04/16	संदीप सीमेंट प्रा. लि., प्लॉट सं. 1, 2 एवं 5, जी आई डी सी, महुआ, जिला भावनगर, गुजरात 364290
4.	भामा 8034 : 2002	7728085 2007/04/03	एक्टिव इलेक्ट्रिकल इंजीनियरिंग, सर्वे सं. 387/388, प्लॉट सं. 37/03, 10 सम्राट इंडस्ट्रीयल एरिया, गोंडल रोड, जिला राजकोट, गुजरात 360004
5.	भामा 8034 : 2002	7729390 2007/04/09	श्रीनाथ इंजीनियरिंग कंपनी, सम्राट इंडस्ट्रीज एरिया, एस टी वर्कशॉप के पीछे, गोंडल रोड, जिला राजकोट, गुजरात 360002

(1)	(2)	(3)	(4)
6.	भामा 8034 : 2002	7729491 2007/04/09	श्रीनाथ इंडस्ट्रीज, सर्वे सं. 26, प्लॉट सं. 1-ब, राष्ट्रीय राजमार्ग 8ब, शापर (वेरावल), तालुका : कोटडा संधानी, जिला : राजकोट, गुजरात
7.	भामा 1417 : 1999	7732076 2007/04/20	सर्वदमन प्रतापराय शेट एण्ड सन्ज, धरबारगढ़ रोड, उपलेटा, राजकोट, गुजरात-360490
8.	भामा 1417 : 1999	7733482 2007/04/24	वल्लभदास गौरधनदास पारेख, कापड़ बाजार, जैतपुर, राजकोट, गुजरात-360370
9.	भामा 1417 : 1999	7728186 2007/04/03	चौकसी जमनादास प्रधान एवं कंपनी, सी/2-102-2, गाँधी रोड, कुतियाणा, जिला : पोरबंदर, गुजरात-362656
10.	भामा 14543 : 2004	7729188 2007/04/03	बोस बेवरेजीज, नानी वावडी, तालुका : मोरबी जिला : राजकोट, गुजरात
11.	भामा 2062 : 1999	7728792 2007/04/04	प्रकाश शी-रोलरज प्रा. लि., सर्वे सं. 270/1, प्लॉट सं. 9, भावनगर राजकोट रोड, सिहोर, भावनगर, गुजरात-364240
12.	भामा 8034 : 2002	7729289 94042007	जलसागर इंजीनियरज, मारुति इंडस्ट्रीज एरिया, मोमाई गैरेजिज स्ट्रीट, गोंडल रोड, जिला राजकोट, गुजरात-360004
13.	भामा 694 : 1990	7736589 2007/05/01	मयूर केबल इंडस्ट्रीज, रवि टाईल्ज के पीछे, सोहम एस्टेट के समीप, आर पी फूड के सामने, सर्वे सं. 26, प्लॉट सं 16, शापर (वेरावल), जिला: राजकोट, गुजरात
14.	भामा 694 : 1990	7736690 2007/05/01	क्रिष्णा केबल इंडस्ट्रीज, सर्वे सं. 281/1, प्लॉट सं 13-अ, बैस्ट एगो के पीछे, शापर, जिला राजकोट, गुजरात
15.	भामा 4947 : 1985	7736933 2007/05/01	कनाडिया फायर फाईटर प्रा.लि. प्लॉट सं. 8, पारस इंडस्ट्रीयल एस्टेट, गरीबशाह पीर के समीप, सिहोर, जिला भावनगर, गुजरात, 364240
16.	भामा 8034 : 2002	7736286 2007/05/01	हरि कृष्णा इलैक्ट्रिक, 2, लक्ष्मीनगर, स्कूल नं. 47 के पीछे, राजकोट, गुजरात-360004
17.	भामा 8034 : 2002	7738088 2007/05/09	अलीधारा पंप प्रा. लि. प्लॉट सं. 6, सर्वे सं. 161 एस आई डी सी रोड, वेरावल (शापर), तालुका: कोटडासंधानी, जिला राजकोट, गुजरात-360024
18.	भामा 12269 : 1987	7738189 2007/05/10	गोडसन सीमेंट प्रा.लि., प्लॉट सं 1, सर्वे सं 88, हदमताला इंडस्ट्रीयल जोन, गाँव हदमताला कोटडा संधानी राजकोट, गुजरात-360002
19.	भामा 14543 : 2004	7738593 2007/05/10	शीतल बेवरेजीज कंपनी, 819/अ, जीआई डी सी लोधिक, मेटोडा, कालावड़ रोड, लोधिका, जिला राजकोट, गुजरात-360035
20.	भामा 14543 : 2004	7743182 2007/05/10	महाराजा मिनरल वाटर, 262 जी आई डी सी रफलेश्वर, 8-अ, राष्ट्रीय राजमार्ग, मोरबी, जिला राजकोट, गुजरात-363642
21.	भामा 1417 : 1999	7740782 2007/05/14	अश्विन ज्वैलरज, सोनी बाजार, जिला: राजकोट, गुजरात
22.	भामा 1417 : 1999	7740883 2007/05/14	सोनी मालचंद वालजी एवं संज, मेन बाजार - वाया जामनगर, खरेडी, जिला : जामनगर, गुजरात-361540
23.	भामा 1417 : 1999	7741582 2007/05/17	श्री प्रवीण कुमार शामभजी सोनी, गाँधी चौक, भनवाद, जिला: जामनगर, गुजरात-360510
24.	भामा 1417 : 1999	7741683 2007/05/17	राधा कृष्णा ज्वैलरज, कोठारिया नाका, खौजा शेरी के सामने, जिला : राजकोट, गुजरात-360001
25.	भामा 1417 : 1999	7741784 2007/05/17	गायत्री ज्वैलरज, मांडवी टावर रोड, चांदी बाजार, जामनगर, जिला: जामनगर, गुजरात-361001
26.	भामा 8034 : 2002	7744285 2007/05/23	अरूण इलैक्ट्रिकल्ज, 6/7, उमाकांत उद्योगनगर, मावडी प्लॉट, जिला राजकोट, गुजरात-360004
27.	भामा 10658 : 1999	7736933 2007/05/24	कनाडिया फायर फाईटर प्रा. लि., प्लॉट सं. 8, पारस इंडस्ट्रीयल एस्टेट, गरीबशाह पीर के समीप, सिहोर, जिला भावनगर, गुजरात-364240

(1)	(2)	(3)	(4)
28.	भामा 8034 : 2002	7746996 2007/05/28	एरोमा हाइटैक लि., सर्वे सं. 580, राष्ट्रीय राजमार्ग 15, समख्याली, राधापुर हाइवे, लकोडियो, तालुका भचाऊ, जिला कच्छ, गुजरात-370150
29.	भामा 1417 : 1999	7745287 2007/05/28	लक्ष्मी ज्वैलरज, हास्पिटल रोड, आई सी आई सी आई बैंक के सामने, भुज, जिला कच्छ, गुजरात-370001
30.	भामा 12269 : 1987	7746087 2007/05/29	रोयल सीमेंट कंपनी, लखधीरपुर रोड, घुंटू, मोरबी, जिला : राजकोट, गुजरात-363642
31.	भामा 1417: 1999	7747493 2007/06/04	अमित ज्वैलरज, स्वामीनारायण मंदिर के समीप, दारा गली के सामने, नानी बाजार, गोंडल, जिला राजकोट, गुजरात-360311
32.	भामा 694: 1990	7748697 2007/06/04	आलविन इंडस्ट्रीज, सर्वे सं. 251, प्लॉट सं. 7, देवसन सेरेमिक के पीछे, शापर (वेरावल) जिला राजकोट, गुजरात
33.	भामा 1554: भाग 1: 1988	7748701 2007/06/04	आलविन इंडस्ट्रीज, सर्वे सं. 251, प्लॉट सं. 7, देवसन सेरेमिक के पीछे, शापर (वेरावल) जिला राजकोट, गुजरात
34.	भामा 14543: 2004	7748802 2007/06/05	एक्वाफ्रेश बेवरेजीज, प्लॉट सं. 88, जी आई डी सी इंडस्ट्रीयल एस्टेट, चित्रा, भावनगर, गुजरात-364004
35.	भामा 8034: 2002	7750179 2007/06/06	विराट पंपज, 50 फीट मेन रोड, कोठारिया रोड, जिला : राजकोट गुजरात गुजरात-360002
36.	भामा 1417: 1999	7749602 2007/6/07	सोनी मोहनलालजी सामजी, 12 मित्र रोड, कस्टम चौक, प्लॉट सं. 59, अंजार, जिला : कच्छ, गुजरात
37.	भामा 1417: 1999	7749703 2007/6/07	श्री अंबिका गोल्ड पैलेस, प्लॉट सं. 258, वार्ड 12-ब, मेन बाजार, गांधीधाम, जिला कच्छ, गुजरात-370201
38.	भामा 8034: 2002	7749804 2007/06/07	संतन इलैक्ट्रिक इंडस्ट्रीज, मोलिया एस्टेट, सतनी इंडस्ट्रीज के नजदीक, अटिका इंडस्ट्रीयल, गली सं. 8, हसनवाड़ी रोड के अंत में, जिला : राजकोट, गुजरात-360002
39.	भामा 371: 1999	7751888 2007/06/11	प्रेम इलैक्ट्रिकल इंडस्ट्रीज, दाल मिल रोड, चर्च के सामने, सोनी वाड़ी के समीप, जिला: सुरेंद्रनगर, गुजरात-7363001
40.	भामा 12269: 1987	7750482 2007/06/12	पटेल सीमेंट प्रा.लि., सर्वे सं. 169, प्लॉट सं. 11, वेरावल-शापर, राजकोट, गुजरात
41.	भामा 1417: 1999	7751080 2007/06/13	लक्ष्मी ज्वैलरज, पैलेस रोड, दुकान सं. 1/ब, सामजू पैलेस, राम और श्याम गौला वाला के सामने, जिला राजकोट, गुजरात-360001
42.	भामा 8034 : 2002	7751686 2007/06/14	जलदीप इलैक्ट्रिकलज, 1, आरती सोसायटी, धेबर रोड, (अटिका इंडस्ट्रीयल एरिया दक्षिण), राजकोट, गुजरात-360002
43.	भामा 8034 : 2002	7751787 2007/06/14	कावेरी सबमर्जिबल पंप, न्यू नेहरु नगर, 80 फीट रोड, कैलाशपति सोसायटी, धेबर रोड, दक्षिण (अटिका), राजकोट, गुजरात-360002
44.	भामा 14220: 1994	7751989 2007/06/14	मीरा एग्रो इक्युपमेंट, धर्मजीवन इंडस्ट्रीयल एरिया एस टी वर्कशॉप के पीछे, राजकोट, जिला राजकोट, गुजरात-360004
45.	भामा 13429: भाग 1: 1999	7752890 2007/06/14	सर्व सेवा संघ खादी ग्रामोद्योग ट्रस्ट, (एकक समुच्चय) रानी इंडस्ट्रीज एस्टेट-1, परीन फर्नीचर के पीछे, राष्ट्रीय राजमार्ग 8-ब, वावड़ी, जिला : राजकोट
46.	भामा 8034: 2002	7752991 2007/06/18	यश मैन्यूफैक्चररज, जय सियाराम इंडस्ट्रीयल एस्टेट, 8ब, राष्ट्रीय राजमार्ग, मीरा उद्योग के समीप, जिला राजकोट, गुजरात-360003
47.	भामा 8034: 2002	7753084 2007/06/18	अजंता इंडस्ट्रीज, गोकुलधाम मेन रोड, जे के मशीन टूलज के सामने, राजकोट, जिला राजकोट, गुजरात-360004
48.	भामा 1417: 1999	7753185 2007/06/19	चौकसी वच्छराज माकनजी एवं कंपनी, शिशुमंगल रोड, गांधीग्राम, जिला : जुनागढ़, गुजरात-362001
49.	भामा 1417: 1999	7753892 2007/06/21	जेवर, सोनी बाजार, मेन रोड, जिला: राजकोट, गुजरात-360001

(1)	(2)	(3)	(4)
50.	भामा 14543 : 2004	7754490 2007/06/27	गायत्री बेवरेजीज, पंचपीर दरगाह के समीप, सासन रोड, तालुका-तलाला (गिर) बोरवाव (गिर) जिला जुनागढ़, गुजरात-362150
51.	भामा 2202 : भाग 1:1999	7756595 2007/06/29	गैलैक्सी डेकोर प्रा.लि., 910, 911 जी आई डी सी एस्टेट, गांव एवं पोस्ट बामनबोर, चोटीला, जिला सुरेंद्रनगर, गुजरात-363520
52.	भामा 303 : 1989	7754894 2007/06/13	गैलैक्सी डेकोर प्रा.लि., 910, 911 जी आई डी सी एस्टेट, गांव एवं पोस्ट बामनबोर, चोटीला, जिला सुरेंद्रनगर, गुजरात-363520
53.	भामा 1659 : 2004	7756696 2007/06/29	गैलैक्सी डेकोर प्रा.लि. 910, 911 जी आई डी सी एस्टेट, गांव एवं पोस्ट बामनबोर, चोटीला, जिला सुरेंद्रनगर, गुजरात-363520
54.	भामा 1417 : 1999	7756393 2007/06/29	हेम ज्वैलरज, वोरा बाजार, जिला भावनगर, गुजरात-364001

[सं. सी एम डी/13:11]

ए. के. तलवार, उप महानिदेशक (मुहर)

New Delhi, the 30th October, 2007

S. O. 3219.—In pursuance of clause 4(5) of the Bureau of Indian Standards Certification (Regulations), 1988, the Bureau of Indian Standards hereby notifies that Licence to use Indian Standard Mark, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and Year of the Indian Standards	No. and Operative Date of Licence	Address of Licensee
(1)	(2)	(3)	(4)
1.	IS 12269 : 1987	7727992 03/04/2007	Amrut Cement Industries, 8A, National Highway, Pipli, Morbi, Distt. Rajkot, Gujarat
2.	IS 12269 : 1987	7728994 05/04/2007	Tirupati Cement Factory GIDC Area, Plot No. 175, At : Vanana, Ranavav, Distt. Porbandar, Gujarat-360550
3.	IS 12269 : 1987	7731478 16-04-2007	Sandip Cements Pvt. Ltd. Plot No. 1, 2 & 5 GIDC, Mahuva Distt. Bhavnagar, Gujarat-364290
4.	IS 8034 : 2002	7728085 03-04-2007	Active Electrical Engineering Survey No. 387/388, Plot No. 37/03, 10, Samrat Industrial Area, Gondal Road, Distt. Rajkot Gujarat-360004
5.	IS 8034 : 2002	7729390 09-04-2007	Shreenath Engineering Co. Samrat Industrial Area, Behind S.T. Work Shop, Gondal Road, Distt. Rajkot, Gujarat-360002
6.	IS 8034 : 2002	7729491 09-04-2007	Shreenath Industries, Survey No. 26, Plot No. 1-B, N.H. 8B, at Shapar (Veraval), Tal. : Kotda, Sangani, Distt. Rajkot, Gujarat-360002
7.	IS 1417 : 1999	7732076 20-04-2007	Sarvdamani Prataprai Sheth & Sons, Dharbargadh Road, Upleta, Distt. Rajkot, Gujarat-360490
8.	IS 1417 : 1999	7733482 24-04-2007	Vallabhdas Gordhandas Parekh, Kapad Bazar, Jetpur, Distt. Rajkot, Gujarat-360370
9.	IS 1417 : 1999	7728186 03-04-2007	Chowksi Jamnadas Pradhan & Co., C/2-102-2, Ghandhi Road, Kutiyana, Distt. Porbandar, Gujarat-362656
10.	IS 14543 : 2004	7729188 03-04-2007	Boss Beverages Nani Vavdi, Taluka : Morbi, Distt Rajkot, Gujarat
11.	IS 2062 : 1999	7728792	Prakash Re-Rollers Pvt Ltd. Survey No. 270/1, Plot No. 9, Bhavnagar, 04-04-2007 Rajkot Road, Sihor, Distt. Bhavnagar, Gujarat-364240

(1)	(2)	(3)	(4)
12.	IS 8034:2002	7729289 09-04-2007	M/s Jalsagar Engineers Maruti Industries Area, Momai Garages Street, Gondal Road, Distt : Rajkot Gujarat-360004
13.	IS 694:1990	7736589 01-05-2007	M/s Mayur Cable Industries B/H Ravi Tiles, Near Soham Estate, Opp. R. P. Food, Survey No. 26, Plot No. 16, Shapar (Veraval) Rajkot Gujarat
14.	IS 694:1990	7736690 01-05-2007	M/s Krishna Cable Industries, Suvey No 281/1, Plot No. 13-A, Behind Best Agro, Shapar, Distt. Rajkot, Gujarat
15.	IS 4947:1985	7736933 01-05-2007	M/s Kanadiya Fyr Fyter Pvt. Ltd. Plot No. 8, Paras Industrial Estate, Near Garibshar Pirsihor, Distt. Bhavnagar, Gujarat-364240
16.	IS 8034:2002	7736286 1-5-2007	M/s Hari Krishna Electric, 2, Laxminagar, B/H School No. 47, Rajkot, Gujarat-360004
17.	IS 8034:2002	7738088 09-05-2007	Alidhra Pump Pvt. Ltd., Plot No. 6, Survey No. 161, Sidc Road, Veraval (Shapar), Tal : Kotdasanghani, Distt : Rajkot, Gujarat-360024
18.	IS 12269:1987	7738189 10-05-2007	Godson Cement Pvt. Ltd., Plot No. 1, Survey, No. 88, Hadamtala Industrial Zone, Village Hadamtala, Kotda Sanghani, Rajkot, Gujarat
19.	IS 14543:2004	7738593 10-05-2007	Sheetal Beverages Co., 819/A, GIDC Lodhika, Metoda, Kalwad Road, Lodhika, Distt : Rajkot, Gujarat-360035
20.	IS 14543:2004	7743182 10-05-2007	Maharaja Mineral Water, 262 GIDC Rafleshwar, 8A, National Highway, Morbi, Distt : Rajkot, Gujarat-363642
21.	IS 1417:1999	7740782 14-05-2007	M/s Ashvin Jewellers, Soni Bazar, Distt : Rajkot, Gujarat
22.	IS 1417:1999	7740883 14-05-2007	M/s Soni Malchand Valji & Sons, Main Bazar-Viajamnagar, Kharedi, Distt : Jamnagar, Gujarat-361540
23.	IS 1417:1999	7741582 17-05-2007	M/s Shree Pravin Kumar Shamjibhai Soni, Gandhi Chowk, Bhanvad, Distt : Jamnagar Gujarat-360510
24.	IS 1417:1999	7741683 17-05-2007	M/s Radhe Krishna Jewellers Kotharia Naka, Opp. Khjoa Sheri, Distt : Rajkot, Gujarat-360001
25.	IS 1417:1999	7741784 17-05-2007	M/s Gayatri Jewellers Mandvi Tower Road, Chandi Bazar, Distt : Jamnagar, Gujarat-361001
26.	IS 8034:2002	7744285 23-05-2007	Arun Electricals, 6/7 Umakant Udyognagar, Mavdi Plot, Distt : Rajkot, Gujarat-360004
27.	IS 10658:1999	7736933 24-05-2007	M/s Kanadiya Fyr Fyter Pvt. Ltd., Plot No. 8, Paras Industrial Estate, Near Garibsha Pir, Sihor, Distt. Bhavnagar, Gujarat-364240
28.	IS 8034:2002	7746996 28-05-2007	M/s Aroma Hightech Ltd. S. No. 580, N.H. 15, Samkhyali Radhanpur Highway, Lakadia, Taluka Bhachau, Distt : Kachchh, Gujarat
29.	IS 1417:1999	7745287 28-05-2007	M/s Laxmi Jewellers Hospital Road, Oppo-ICICI Bank, Bhuj, Distt : Kachchh, Gujarat-370001
30.	IS 12269:1987	7746087 29-05-2007	Royal Cement Company, Lakhdirpur Road, Ghuntu, Morbi, Distt : Rajkot, Gujarat-363642
31.	IS 1417:1999	7747493 04-06-2007	M/s Amit Jewellers Near Swaminarayan Temple, Opp. Dera Street, Nani Bazar, Gondal, Distt : Rajkot, Gujarat-360311
32.	IS 694:1990	7748697 04-06-2007	M/s Allwyn Industries, Survey No. 251, Plot No. 7, B/H Devsion Ceramics, Shapar (Veraval), Distt : Rajkot Gujarat
33.	IS 1554: Part 1:1988	7748701 04-06-2007	M/s Allwyn Industries, Survey No. 251, Plot No. 7, B/H Devsion Ceramics, Shapar (Veraval), Distt : Rajkot, Gujarat
34.	IS 14543:2004	7748802 05-06-2007	Aquafresh Beverages, Plot No. 88, GIDC Industrial Estate, Chitra, Bhavnagar, Gujarat-364004

(1)	(2)	(3)	(4)
35.	IS 8034: 2002	7750179 06-06-2007	Virat Pumps, 50 Feet Main Road, Kothariya Road, Distt : Rajkot, Gujarat-360002
36.	IS 1417: 1999	7749602 07-06-2007	M/s Soni Mohanlal Samji 12 Mitar Road, Custom Chowk, Plot No. 59, Anjar Distt : Kachchh, Gujarat-370201
37.	IS 1417: 1999	7749703 07-06-2007	M/s Sri Ambika Gold Palace Plot No. 258, Ward 12-B, Main Bazar, Gandhidham Distt : Kachchh, Gujarat-370201
38.	IS 8034: 2002	7749804 07-06-2007	Santan Electric Industries, Moliya Estate, Near Satani Industries, Atika, Industrial Street No. 8, End Hasanwadi Main Road, Distt : Rajkot, Gujarat-360002
39.	IS 371: 1999	7751888 11-06-2007	M/s Prem Electrical Industries, Dall Mill Road, Opp.- Church, Near Soni Wadi, Distt : Surendranagar, Gujarat-363001
40.	IS 12269: 1987	7750482 02-06-2007	Patel Cement Pvt. Ltd., Sr. No. 169, Plot No. 11, Veraval (Shapar), Distt : Rajkot, Gujarat
41.	IS 1417: 1999	7751080 13-06-2007	M/s. Laxmi Jewellers, Palace Road, Shop No. 1/B, Samju Palace, Opp. Ram Aur Shayam Gola Wala, Distt : Rajkot, Gujarat-360001
42.	IS 8034: 2002	7751686 14-06-2007	Jaldeep Electricals, 1, Arti Society, Dhebar Road, (South, Atika Ind. Area), Rajkot, Gujarat-360002
43.	IS 8034: 2002	7751787 14-06-2007	M/s. Kaveri Submersible Pump, New Nehru Nagar, 80 Ft. Road, Kailashpati Society, Dhebar Road, South (Atika), Distt : Rajkot, Gujarat-360002
44.	IS 14220: 1994	7751989 4-06-2007	Meera Agro Equipment, Dharamjivan Industrial Area, B/H S. T. Workshop, Distt : Rajkot, Gujarat-360004
45.	IS 13429: Part 1: 1999	7752890 14-06-2007	Serve Seva Sangh Khadi Gramodhyog Trust, (Assembling Unit), Rani Industries Estate-I, B/H Parin Furniture, National Highway 8-B, Vavadi, Distt : Rajkot, Gujarat
46.	IS 8034: 2002	7753084 18-06-2007	Yash Manufacturers, Jay Siyaram Industrial Estate, 8-B, National Highway Near Mira Udyog, Distt : Rajkot, Gujarat-360003
47.	IS 8034: 2002	7753084 18-06-2007	Ajanta Industries, Gokuldharm Main Road, Opp. J. K. Machine Tools, Rajkot, Distt : Rajkot, Gujarat-360004
48.	IS 1417: 1999	7753185 19-06-2007	M/s. Choksi Vachhraj Makanji & Co., Shishumangal Road, Gandhigram, Distt : Junagadh, Gujarat-362001
49.	IS 1417: 1999	7753892 21-06-2007	M/s. Zevar, Soni Bazar Main Road, Distt : Rajkot, Gujarat-360001
50.	IS 14543: 2004	7754490 27-06-2007	Gayatri Beverages, Nr. Panch Peer Dargarh, Sasan Road, Taluka-Talala (GIR) Borvav, Junagadh
51.	IS 2202: Part 1: 1999	7756595 29-06-2007	Galaxy Decor Pvt. Ltd., 910, 911 GIDC. Estate Vill. & Post-Bamanbore, Chotila Distt : Surendranagar, Gujarat-363520
52.	IS 303: 1989	7754894 28-06-2007	Galaxy Decor Pvt. Ltd., 910, 911 GIDC. Estate Vill. & Post-Bamanbore, Chotila Distt : Surendranagar, Gujarat-363520
53.	IS 1659: 2004	7756696 29-06-2007	Galaxy Decor Pvt. Ltd., 910, 911 GIDC. Estate Vill. & Post-Bamanbore, Chotila Distt : Surendranagar, Gujarat-363520
54.	IS 1417: 1999	7756393 29-06-2007	M/s. Hem Jewellers, Vora Bazar, Distt : Bhavnagar, Gujarat-364001

[No. CMD/13: 11]

A. K. TALWAR, Dy. Director General (Marks)

नई दिल्ली, 31 अक्टूबर, 2007

का.आ. 3220.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गया है :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15042 (Part 2) : 2007/ISO 9564-2 : 2005 बैंकिंग-व्यक्तिगत पहचान नम्बर प्रबंधन एवं सुरक्षा-भाग 2 : पिन को कोड में लिखने हेतु अनुमोदित एल्गोरिथ्म (पहला पुनरीक्षण)	आई एस 15042 (Part 2): 2001/ISO 9564-2 : 1991	30 सितम्बर, 2007

इस संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलुरु, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: एम एस डी/जी-8]

पी. भटनागर, वैज्ञानिक ई एवं प्रमुख (प्रबन्ध एवं तंत्र)

New Delhi, the 31st October, 2007

S. O. 3220.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which is given in the Schedule hereto annexed has been established on the date indicated against each :

SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established	No. and Year of Indian Standard, if any, superseded by the new Indian Standard	Date of Established
1	2	3	4
1.	IS 15042 : (Part 2): 2007/ISO 9564-2 : 2005 Banking-Personal Identification Number management-Part 2 : Approved algorithms for PIN encipherment (First Revision)	IS 15042 : (Part 2): 2001/ISO 9564-2 : 1991	September 30, 2007

Copy of above standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bengaluru, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref.: MSD/G-8 Notification]

P. BHATNAGAR, Scientist 'E' & Head (MSD)

नई दिल्ली, 31 अक्टूबर, 2007

का.आ. 3221.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम (5) के उपविनियम (6) के अनुसरण में भारतीय मानक ब्यूरो, एतद्वारा, अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को उनके आगे दर्शायी गई तारीख से रद्द/स्थगित कर दिया गया है :—

क्रम संख्या	लाइसेंस संख्या	लाइसेंसधारी का नाम व पता	लाइसेंस के अंतर्गत वस्तु/प्रक्रम सम्बद्ध भारतीय मानक का शीर्षक	रद्द/स्थगित करने की तिथि
1	2	3	4	5
1.	सीएम/एल 7471276	जय खोडियार इंडस्ट्रीज, हरिओम सोसायटी, कोठारिया रिंग रोड, राजकोट, गुजरात-360004 ।	पैकेजबन्द पेय जल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)– विशिष्ट भागा 14543 : 2004	2007/05/01
2.	सीएम/एल 7591286	ए वन सीमेंट इंडस्ट्रीज, 8-अ राष्ट्रीय राजमार्ग, अमूल दाल मिल के सामने, तिमबडी, मोरबी, जिला राजकोट, गुजरात-363642 ।	43 ग्रेड साधारण पोर्टलैंड सीमेंट भागा 8112 : 1989	2007/06/22
3.	सीएम/एल 0767868	एक्सेल क्रॉप केयर लि., 6/2 रूवापरी रोड, भावनगर, गुजरात ।	तकनीकी ग्रेड एन्डोसल्फान की विशिष्ट भागा 4344 : 1978	2007/05/03
4.	सीएम/एल 2224436	सोलर पैकेजिंग प्रा. लि., श्री अमरसिंहजी मिलज कंपाऊंड, स्टेशन रोड, वांकाणेर, जिला : राजकोट, गुजरात-363622 ।	टाइपराइटर के सूती रिबन की विशिष्ट भागा 4174 : 1977	2007/05/03
5.	सीएम/एल 7245166	अमर ज्योत पोली कम प्रा. लि., प्लॉट सं 2222, लोधिका जी आई डी सी, राधे वे ब्रिज, मेटोडा, तालुका : लोधिका, जिला राजकोट, गुजरात-364458 ।	पेय जल आपूर्ति, मल और औद्योगिक बहिस्त्रावों हेतु उच्च घनत्व पॉलीथीलीन पाइप भागा 4984 : 1995	2007/05/30
6.	सीएम/एल 7315868	ख्याति पोलीमरज, 1/4, सम्राट इंडस्ट्रीयल एरिया, बैन लैब के समीप, डॉ विक्रम साराभाई मार्ग, गोंडल रोड, राजकोट, गुजरात-360004 ।	सिंचाई उपस्कर-स्प्रिंकलर पाईप-विशिष्ट भाग 1 पोलीथीलीन पाईप भागा 14151 : भाग : 1999	2007/05/30
7.	सीएम/एल 7318268	अशोक होम एप्लायसिज प्रा.लि., अशोक उद्योग भवन-2, तांती रोड, मावडी प्लोट, राजकोट, गुजरात-360004 ।	द्रवित पेट्रोलियम गैसों के साथ प्रयुक्त घरेलू गैस चूल्हे भागा 4246 : 2002	2007/06/20
8.	सीएम/एल 7374278	कृष्णा प्लास्टिकज, गोंडल रोड, मनसत्ता इंडस्ट्रीज, जगनाथ मार्बलज, राजकोट, गुजरात-360004 ।	सिंचाई उपस्कर-स्प्रिंकलर पाईप-विशिष्ट भाग 1 पोलीथीलीन पाईप भागा 14151 : भाग : 1999	2007/06/18
9.	सीएम/एल 7414062	प्रमुख सीमेंट प्रा.लि., सर्वे सं. 83/1, गाँव अरदौई, तालुका कोटडा संचानी, राजकोट, गुजरात ।	43 ग्रेड साधारण पोर्टलैंड सीमेंट भागा 8112 : 1989	2007/05/31
10.	सीएम/एल 7479902	जिंदल सां लि., गाँव नानकपाया, तालुका मुंद्रा, कच्छ 370415	कुंडलित वेल्डित पाइपें भागा 5504 : 1997	2007/06/04
11.	सीएम/एल 7467285	परफेक्ट बेवरेजीज, 14, विश्रामनगर, चित्रा सिंदरार रोड, पानी की टंकी के सामने, भावनगर, गुजरात-364001 ।	पैकेजबन्द पेय जल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)– विशिष्ट भागा 14543 : 2004	2007/06/27

संदर्भ : साक्षा/गजेट/04-07

तिथि

[सं. सी. एम. डी./13:13]

ए. के. तलवार, उप महानिदेशक (मुहर)

New Delhi, the 31st October, 2007

S. O. 3221.—In pursuance of sub-regulation (6) of the regulation 5 of the Bureau of Indian Standards (Certification) Regulations 1988, of the Bureau of Indian Standards, hereby notifies that the licences particulars of which are given below have been cancelled/suspended with effect from the date indicated against each :

Sl. No.	Licences No. CM/L-	Name and Address of the Licensee	Article/Process with Relevant Indian Standards Covered by the Licence	Date of Cancellation/the Licence Cancelled/ Suspension
1	2	3	4	5
1.	CM/L-7471276	M/s. Jay Khodiyar Industries Hariom Society, Kothariya Ring Road, Rajkot-360004. Gujarat-360004.	IS 14543 : 2004 Packaged drinking water other than mineral water	2007/05/01
2.	CM/L-7591286	M/s. A-One Cement Industries 8-A, National Highway Opp. Amul Pulse Mill, Timbadi, Morbi, Distt : Rajkot Gujarat-363642.	IS 8112 : 1989 43 grade OPC	2007/06/22
3.	CM/L-0767868	M/s. Excel Crop Care Ltd., 6/2, Ruvapari Road, Bhavnagar, Gujarat-364005	IS 4344 : 1978 Endosulfan Technical grade	2007/06/13
4.	CM/L-2224436	M/s. Solar Packaging Pvt. Ltd., Shri Amarsinhji Mills Compound, Station Road, Wankarner, Distt : Rajkot, Gujarat-363622.	IS 4174 : 1995 Typewriter Ribbons, Cotton	2007/05/03
5.	CM/L-7245166	M/s. Amar Jyot Poly Chem. Pvt. Ltd., Plot No. 2222, Lodhika GIDC, Opp. Radhe Wey Bridge at Metoda Tal. Lodhika, Distt : Rajkot, Gujarat-364458.	IS 4984 : 1995 High density polyethylene pipes for potable water supplies	2007/05/30
6.	CM/L-7315868	M/s. Khyati Polymers 1/4, Samrat Industrial Area, Near Ban Lab, Dr. Vikram Sarabhai Marg, Gondal Road, Rajkot, Gujarat-360004.	IS 14151 : Part 1 : 1999 Irrigation Equipment— Sprinkler pipes Part 1 polyethylene pipes	2007/05/30
7.	CM/L-7318268	M/s. Ashok Home Appliances P. Ltd., Ashok Udyog Bhavan-II, Tanti Road, Mavdi Plot, Rajkot, Gujarat-360004.	IS 4246 : 2002 Domestic Gas Stoves for use with LPG	2007/06/20
8.	CM/L-7374278	M/s. Krishna Plastics Gondal Road, Behind Mansatta Industries, Opp. Jagnath Marbles, Rajkot, Gujarat-360004.	IS 14151 : Part 1 : 1999 Irrigation Equipment—Sprinkler pipes Part 1 polyethylene pipes	2007/06/18
9.	CM/L-7414062	M/s. Pramukh Cement Pvt. Ltd., Survey No. 83/1, Village Ardoi, Taluka Kotdasangani, Rajkot, Gujarat.	IS 8112 : 1989 43 grade OPC	2007/05/31
10.	CM/L-7479902	M/s. Jindal Saw Ltd., Village : Nankapaya, Taluka Mundra, Distt : Kachchh, Gujarat-370415.	IS 5504 : 1997 Spiral Welded Pipes	2007/06/04
11.	CM/L-7467285	M/s. Perfect Beverages 14, Vishramnagar, Chitra-Sidrar Road, Opp. Water Tank, Bhavnagar, Gujarat-364001.	IS 14543 : 2004 Packaged drinking water other than mineral water	2007/06/27

[No. : CMD/13:13]

A.K. TALWAR, Dy. Director General (Marks)

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 31 अक्टूबर, 2007

का. आ. 3222.—भारत सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन), अधिनियम 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 1936 तारीख 04 जुलाई 2007 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, मैसर्स रिलायंस इंडस्ट्रीज लिमिटेड क आन्ध्रप्रदेश में संरचनाओं से आन्ध्रप्रदेश राज्य में पूर्वी गोदावरी जिले के विभिन्न उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलायंस गैस ट्रान्सपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड द्वारा पाइपलाइन बिछाने के प्रायोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 06 अगस्त 2007 को अथवा उससे पूर्व उपलब्ध करा दी गई थीं ;

और पाइपलाइन बिछाने के संबंध में जनता की ओर से कोई आक्षेप प्राप्त नहीं हुआ है ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है ;

और भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और, भारत सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से भारत सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त, मैसर्स रिलायंस गैस ट्रान्सपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड में निहित होगा ।

अनुसूची				
मंडल: ताल्लारेवु		जिला : पूर्वी गोदावरी		राज्य : आन्ध्र प्रदेश
गाँव का नाम	सर्वे सं./ सब डिविजन सं.	आर ओ यू अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5
1) मल्लवारम	126	0	21	50
	600/6ए	0	13	20
	600/6बी	0	13	15
	601/5बी	0	01	80
	604	0	02	10
	658/3	0	05	95
	658/4	0	00	40
	659/2	0	09	75
	663	0	06	30
	664/2	0	12	75

1	2	3	4	5
2) पोलेकुरु	213/2	0	05	60
	377/3	0	21	00
	378/1बी	0	02	40
	380/1	0	04	65
मंडलः करपा	जिला : पूर्वी गोदावरी		राज्य : आन्ध्र प्रदेश	
1) सिरिपुरम्	19/6	0	01	55
	24/1	0	00	60
	26/4बी	0	02	55
	25/1ए	0	02	55
	26/1बी	0	02	30
	36/5	0	00	70
	36/6	0	00	25
	145/3	0	05	20
	145/5ए	0	07	80
मंडलः रामचन्द्रापुरम्	जिला : पूर्वी गोदावरी		राज्य : आन्ध्र प्रदेश	
1) कापवरम्	9/1	0	00	10
2) चोडवरम्	80/1	0	00	10
	80/2	0	00	10
मंडलः रायवरम्	जिला : पूर्वी गोदावरी		राज्य : आन्ध्र प्रदेश	
1) नंदुरबादा	47/5	0	00	40
2) वेदुरपाका	299/4	0	00	20
	320/4	0	07	30
	531/1	0	20	00
	532/2	0	08	20
मंडलः अनपति	जिला : पूर्वी गोदावरी		राज्य : आन्ध्र प्रदेश	
1) रामवरम्	106/1	0	00	95
2) पोलमुरु	110/1	0	08	20
	139/4बी	0	01	00
मंडलः मंडपेटा	जिला : पूर्वी गोदावरी		राज्य : आन्ध्र प्रदेश	
1) आर्तमुरु	56/1	0	05	45
2) इप्पनपाडु	23/2	0	01	55
3) पालतोडु	36/5	0	10	00
	50/1	0	04	85
	50/2	0	01	00
	108/10	0	07	60
	110/3	0	01	80
	110/5	0	00	55
	121/1	0	07	25
4) वेलगतोडु	152/6	0	01	90
मंडलः आतेयपुरम्	जिला : पूर्वी गोदावरी		राज्य : आन्ध्र प्रदेश	
1) वुच्चिलि	25/7	0	18	55
2) वसंतवाडा	67/18	0	27	70
	68/4	0	07	80
	70/5	0	00	95
	117/2	0	12	65
	118/2	0	17	35

[फा. सं. एल-14014/39/2006-जी. पी.]

एस. बी. मण्डल, अवर सचिव

PETROLEUM AND NATURAL GAS

New Delhi, the 31st October, 2007

S. O. 3222.—Whereas by a notification of the Government of India in Ministry of Petroleum and Natural Gas, number S.O. 1936 dated 4th July 2007, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Government of India declared its intention to acquire the Right of User in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of natural gas from structures in Andhra Pradesh of M/s Reliance Industries Limited, by M/s Reliance Gas Transportation Infrastructure Limited to various consumers of district East Godavari in the State of Andhra Pradesh;

And whereas the copies of the said Gazette notification were made available to the public on or before 06th August, 2007;

And whereas no objections were received from the public to the laying of the pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government of India

And whereas the Government of India after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Government of India hereby declares that the Right of User in the land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Government of India hereby directs that the Right of User in the said land for laying the pipeline shall, instead of vesting in the Government of India vest on the date of publication of the declaration, in M/s Reliance Gas Transportation Infrastructure Limited, free from all encumbrances.

Schedule				
Mandal : Tallarevu		District : East Godavari		State : Andhra Pradesh
Village	Survey No. / Sub-Division No.	Area to be acquired for ROU		
		Hectare	Are	C-Are
1	2	3	4	5
1) Mallavaram	126	0	21	50
	600/6A	0	13	20
	600/6C	0	13	15
	601/5B	0	01	80
	604	0	02	10
	658/3	0	05	95
	658/4	0	00	40
	659/2	0	09	75
	663	0	06	30
	664/2	0	12	75
2) Polekurru	213/2	0	05	60
	377/3	0	21	00
	378/1B	0	02	40
	380/1	0	04	65

1	2	3	4	5
Mandal : Karapa	District : East Godavari	State : Andhra Pradesh		
1) Siripuram	19/6	0	01	55
	24/1	0	00	60
	26/4B	0	02	55
	25/1A	0	02	55
	26/1B	0	02	30
	36/5	0	00	70
	36/6	0	00	25
	145/3	0	05	20
	145/5A	0	07	80
Mandal : Ramachandrapuram	District : East Godavari	State : Andhra Pradesh		
1) Kapavaram	9/1	0	00	10
2) Chodavaram	80/1	0	00	10
	80/2	0	00	10
Mandal : Rayavaram	District : East Godavari	State : Andhra Pradesh		
1) Nadurubada	47/5	0	00	40
2) Vedurupaka	299/4	0	00	20
	320/4	0	07	30
	531/1	0	20	00
	532/2	0	08	20
Mandal : Anaparthi	District : East Godavari	State : Andhra Pradesh		
1) Ramavaram	106/1	0	00	95
2) Polamuru	110/1	0	08	20
	139/4B	0	01	00
Mandal : Mandapeta	District : East Godavari	State : Andhra Pradesh		
1) Artamuru	56/1	0	05	45
2) Ippanapadu	23/2	0	01	55
3) Palatodu	36/5	0	10	00
	50/1	0	04	85
	50/2	0	01	00
	108/10	0	07	60
	110/3	0	01	80
	110/5	0	00	55
	121/1	0	07	25
4) Velagatodu	152/6	0	01	90
Mandal : Atreyapuram	District : East Godavari	State : Andhra Pradesh		
1) Vuchchili	25/7	0	18	55
2) Vasantavada	67/18	0	27	70
	68/4	0	7	80
	70/5	0	00	95
	117/2	0	12	65
	118/2	0	17	35

[F. No. L-14014/39/2006-G.P.]

S. B. MANDAL, Under Secy.

नई दिल्ली, 31 अक्टूबर, 2007

का. आ. 3223.— **भारत** सरकार ने पेट्रोलियम और खानेज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन), अधानेयम 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 1935 तारीख 04 जुलाई 2007 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, मैसर्स रिलायंस इंडस्ट्रीज लिमिटेड, की आन्ध्रप्रदेश में संरचनाओं से आन्ध्रप्रदेश राज्य में पश्चिमी गोदावरी जिले के विभिन्न उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलायंस गैस ट्रान्सपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड द्वारा पाइपलाइन बिछाने के प्रायोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 11 अगस्त 2007 को अथवा उससे पूर्व उपलब्ध करा दी गई थीं ;

और पाइपलाइन बिछाने के संबंध में जनता की ओर से कोई आक्षेप प्राप्त नहीं हुआ है ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन **भारत** सरकार को अपनी रिपोर्ट दे दी है ;

और **भारत** सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, **भारत** सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और, **भारत** सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से **भारत** सरकार में निहित होने के बजाए, सभी विल्लंगों से मुक्त, मैसर्स रिलायंस गैस ट्रान्सपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड में निहित होगा ।

अनुसूची				
मंडल: पेरवलि		जिला : पश्चिमी गोदावरी		राज्य : आन्ध्र प्रदेश
गाँव का नाम	सर्वे सं./ सब डिविजन सं.	आर ओ यू अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5
1) नाडुपल्ले	150/1इ	0	00	65
	150/1एफ	0	04	95
मंडल: उंद्राजवरम		जिला : पश्चिमी गोदावरी		राज्य : आन्ध्र प्रदेश
1) वेलिवेन्नु	154/1	0	16	80
	154/3	0	04	50
मंडल: ताडेपल्लिगुडेम		जिला : पश्चिमी गोदावरी		राज्य : आन्ध्र प्रदेश
1) नन्दमूरू	9/2ए	0	01	70
	11/1ए	0	01	40
2) जगन्नादपुरम	557	0	06	15
	716	0	03	60
	734/3ए	0	04	70
	797/2	0	02	05
	830/1ए	0	02	65
3) आरुगोलु	237/1	0	01	80
	238/2	0	01	60
	239/1इ	0	01	10
	257/2बी	0	08	45
	260/4सी	0	01	35
	276/1	0	01	30
	293/1सी	0	02	75
	293/1इ	0	01	30
4) कुन्चनपल्लि	154/1	0	02	35
5) कोन्डुप्रोलु	182/1	0	06	65
	182/4	0	14	55
	233/2	0	00	30
	234/2	0	01	50
	252/1	0	00	10
6) ताडेपल्ले	600/2बी	0	03	65
	641	0	67	95
	642/1	0	24	60
	865/2इ	0	01	10
मंडल: उन्नुदूरु		जिला : पश्चिमी गोदावरी		राज्य : आन्ध्र प्रदेश
1) यल्लामिल्लि	317/3	0	07	10
	318/3	0	26	70
	323/2	0	03	80
	325/1बी	0	01	35
	324/3	0	18	75
	325/3	0	03	40

1	2	3	4	5
1) यल्लामिल्लि (निरंतर)	325/4	0	00	70
	233/1बी	0	28	50
	344/3	0	02	10
	357/2	0	46	30
	358/2	0	43	80
	358/1	0	00	50
	359	0	20	10
	360/3	0	02	85
	360/2	0	22	20
	360/1	0	24	75
2) उन्नुयूरु	452/4	0	08	95
	1063	0	44	20
	1226/1	0	10	05
3) चेवोलु	377	0	05	10
	399/1बी	0	04	90
	425/1	0	06	80
	485/1	0	12	90
4) कैकाराम	585/1	0	06	75
मंडलः भिमडोलु	जिला : पश्चिमी गोदावरी		राज्य : आन्ध्र प्रदेश	
1) पूल्ला	331/1	0	17	50
	657/2	0	02	55
2) भिमडोलु	747/1	0	11	50
	772	0	00	70
	778	0	30	55
3) गुन्डुगोलनु	500/1बी	0	10	15
	640/1डी	0	00	10
मंडलः देंदुलुरु	जिला : पश्चिमी गोदावरी		राज्य : आन्ध्र प्रदेश	
1) कोमिरपल्लि	86/1सी1	0	11	10
2) देंदुलुरु	262/6	0	00	10
	269/1	0	02	55
	270/1	0	13	40
	276/1	0	48	95
	276/2	0	00	10
	277/2	0	00	90
	278/1	0	01	05
	309	0	01	75
	310/1ए	0	05	90
	310/2डी	0	10	50
	311/2बी	0	00	30
	311/1बी	0	12	65
	311/3सी	0	00	10
	543/2	0	02	90
	572/2	0	00	40

1	2	3	4	5
3) चल्लपल्लि	133/1हेच	0	00	10
	133/5	0	00	10
	134/1	0	00	10
	136/1	0	00	10
मंडलः एलूरु	जिला : पश्चिमी गोदावरी			राज्य : आन्ध्र प्रदेश
1) चोडिमेल्ला	36/2	0	00	10
	38/2	0	00	10
	41/8	0	00	10
	42/3	0	00	10
	46	0	00	10
	49/1	0	00	10
	51/1	0	00	10
	51/2	0	00	10
	114/1	0	00	10
	127	0	00	10
मंडलः पेदवेगि	जिला : पश्चिमी गोदावरी			राज्य : आन्ध्र प्रदेश
1) वंगु	39/6	0	00	10
	87/1	0	00	10
	92/3	0	00	10
	159/1	0	00	10
	175/2	0	00	10
	183	0	00	10
	186	0	00	10
	189	0	00	10
	191/3	0	00	10
	203/2	0	00	10
2) पिनकडिनि	22/4	0	40	15
	31/2	0	17	25
	47/2ए	0	00	20
3) कोप्पाका	116/2	0	00	10
	117	0	00	10
	118	0	00	10
	120/1	0	00	10
	120/2	0	00	10
	120/4	0	00	10
	120/5	0	00	10
	120/7	0	00	10
	160/8	0	00	10
	193	0	00	10
	194/4	0	00	10
	195/2	0	00	10
	196/3	0	00	10
	197/3	0	00	10

1	2	3	4	5
3) कोष्पाका (निरंतर)	197/4	0	12	05
	203/2	0	00	10
	205/3	0	00	10
	224/1	0	00	10
	224/2	0	00	10
	226/3	0	00	10
	226/10	0	00	10
	788/1	0	00	10
	778/3	0	00	10
	778/4	0	00	10
	789/1	0	00	10
	789/3	0	00	10
	956/2	0	00	10
	956/3	0	00	10
	956/4	0	00	10
	956/5	0	00	10
	998	0	00	10
	1006/4	0	00	10

[फा. सं. एल-14014/3/2006-जी. पी.]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 31st October, 2007

S. O. 3223.—Whereas by a notification of the Government of India in Ministry of Petroleum and Natural Gas, number S.O. 1935 dated 4th July 2007, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Government of India declared its intention to acquire the Right of User in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of natural gas from structures in Andhra Pradesh of M/s Reliance Industries Limited, by M/s Reliance Gas Transportation Infrastructure Limited to various consumers of district West Godavari in the State of Andhra Pradesh;

And whereas the copies of the said Gazette notification were made available to the public on or before 11th August, 2007;

And whereas no objections were received from the public to the laying of the pipeline.

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government of India;

And whereas the Government of India after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Government of India hereby declares that the Right of User in the land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the ~~Government of India~~ hereby directs that the ~~Right of User~~ in the said land for laying the pipeline shall, instead of vesting in the ~~Government of India~~ vest on the date of publication of the declaration, in M/s Reliance Gas Transportation Infrastructure Limited, free from all encumbrances.

Schedule				
Mandal : Peravali		District : West Godavari		State : Andhra Pradesh
Village	Survey No. / Sub-Division No.	Area to be acquired for R&U		
		Hectare	Are	C-Are
1	2	3	4	5
1) Nadupalle	150/1E	0	00	65
	150/1F	0	04	95
Mandal : Undrajavaram		District : West Godavari		State : Andhra Pradesh
1) Velivenu	154/1	0	16	80
	154/3	0	04	50
Mandal : Tadepalligudem		District : West Godavari		State : Andhra Pradesh
1) Nandamuru	9/2A	0	01	70
	11/1A	0	01	40
2) Jagannadhapuram	557	0	06	15
	716	0	03	60
	734/3A	0	04	70
	797/2	0	02	05
	830/1A	0	02	65
3) Arugolanu	237/1	0	01	80
	238/2	0	01	60
	239/1E	0	01	10
	257/2B	0	08	45
	260/4C	0	01	35
	276/1	0	01	30
	293/1C	0	02	75
	293/1E	0	01	30
4) Kunchanapalli	154/1	0	02	35
5) Kondrupolu	182/1	0	06	65
	182/4	0	14	55
	233/2	0	00	30
	234/2	0	01	50
	252/1	0	00	10
6) Tadepalle	600/2B	0	03	65
	641	0	67	95
	642/1	0	24	60
	865/2E	0	01	10
Mandal : Unguturu		District : West Godavari		State : Andhra Pradesh
1) Yellamilli	317/3	0	07	10
	318/3	0	26	70
	323/2	0	03	80
	325/1B	0	01	35
	324/3	0	18	75
	325/3	0	03	40
	325/4	0	00	70
	233/1B	0	28	50

1	2	3	4	5
1) Yellamilli (contd....)	344/3	0	02	10
	357/2	0	46	30
	358/2	0	43	80
	358/1	0	00	50
	359	0	20	10
	360/3	0	02	85
	360/2	0	22	20
	360/1	0	24	75
2) Unguturu	452/4	0	08	95
	1063	0	44	20
	1226/1	0	10	05
3) Chebrolu	377	0	05	10
	399/1B	0	04	90
	425/1	0	06	80
	485/1	0	12	90
4) Kaikaram	585/1	0	06	75
Mandal : Bhimadolu District : West Godavari State : Andhra Pradesh				
1) Pulla	331/1	0	17	50
	657/2	0	02	55
2) Bhimadolu	747/1	0	11	50
	772	0	00	70
	778	0	30	55
3) Gundugolanu	500/1B	0	10	15
	640/1D	0	00	10
Mandal : Denduluru District : West Godavari State : Andhra Pradesh				
1) Komirepalle	86/1C1	0	11	10
2) Denduluru	262/6	0	00	10
	269/1	0	02	55
	270/1	0	13	40
	276/1	0	48	95
	276/2	0	00	10
	277/2	0	00	90
	278/1	0	01	05
	309	0	01	75
	310/1A	0	05	90
	310/2D	0	10	50
	311/2B	0	00	30
	311/1B	0	12	65
	311/3C	0	00	10
	543/2	0	02	90
	572/2	0	00	40
3) Challapalli	133/1H	0	00	10
	133/5	0	00	10
	134/1	0	00	10
	136/1	0	00	10

1	2	3	4	5
Mandal : Eluru	District : West Godavari	State : Andhra Pradesh		
1) Chodimella	36/2	0	00	10
	38/2	0	00	10
	41/8	0	00	10
	42/3	0	00	10
	46	0	00	10
	49/1	0	00	10
	51/1	0	00	10
	51/2	0	00	10
	114/1	0	00	10
	127	0	00	10
Mandal : Pedavegi	District : West Godavari	State : Andhra Pradesh		
1) Vanguru	39/6	0	00	10
	87/1	0	00	10
	92/3	0	00	10
	159/1	0	00	10
	175/2	0	00	10
	183	0	00	10
	186	0	00	10
	189	0	00	10
	191/3	0	00	10
	203/2	0	00	10
2) Pinakadimi	22/4	0	40	15
	31/2	0	17	25
	47/2A	0	00	20
3) Koppaka	116/2	0	00	10
	117	0	00	10
	118	0	00	10
	120/1	0	00	10
	120/2	0	00	10
	120/4	0	00	10
	120/5	0	00	10
	120/7	0	00	10
	160/8	0	00	10
	193	0	00	10
	194/4	0	00	10
	195/2	0	00	10
	196/3	0	00	10
	197/3	0	00	10
	197/4	0	12	05
	203/2	0	00	10
	205/3	0	00	10
	224/1	0	00	10
	224/2	0	00	10
	226/3	0	00	10
	226/10	0	00	10
	788/1	0	00	10
	778/3	0	00	10
	778/4	0	00	10
	789/1	0	00	10
	789/3	0	00	10
	956/2	0	00	10
	956/3	0	00	10
	956/4	0	00	10
	956/5	0	00	10
	998	0	00	10
	1006/4	0	00	10

[F. No. L-14014/3/2006-G.P.]
S. B. MANDAL, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 4 अक्टूबर, 2007

का.आ. 3224.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ बड़ोदा के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-2, नई दिल्ली के पंचाट (संदर्भ संख्या 76/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-10-2007 को प्राप्त हुआ था।

[सं. एल-12011/30/2004-आई.आर. (बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 4th October, 2007

S.O. 3224.—In pursuance Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 76/2004 of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure, in the Industrial Dispute between the management of Bank of Baroda, and their workmen, received by the Central Government on 04-10-2007.

[No. L-12011/30/2004-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL -CUM-
LABOUR COURT NO. 2, NEW DELHI COURT-II

Presiding Officer: R. N. Rai
I.D. No. 76/2004

In the matter of:—

Shri Sharwan Kumar,
Ex. Sweeper,
Through
General Secretary,
Bank of Baroda Employees' Union,
4824/24, Ansari Road, Darya Ganj,
New Delhi.

... Workmen

Versus

The General Manager,
Bank of Baroda,
Regional Office, 16, Parliament Street,
New Delhi-110001.

... Management

Appearances: None

AWARD

The Ministry of Labour by its letter No. L-12011/30/2004 IR-(B-II) Central Government Dated 31-05-2004 has referred the following point for adjudication.

The Point runs as hereunder:—

"Whether the action of the management of Bank of Baroda, New Delhi in dismissing the services of Shri Sharwan Kumar, Ex. Sweeper vide order dated

02-11-1998 is just, fair and legal? If not, what relief the workman is entitled to and from which date."

The workman applicant has filed claim statement. In the claim statement it has been stated that the workman Shri Sharwan Kumar was initially appointed as a part-time sweeper in the banks service in the year 1983. He became a full time sweeper in the year 1991 and was posted at Nawada, Delhi Branch. The work and conduct of the workman was found satisfactory by his superiors. That the Branch Manager, Nawada Branch deducted one day salary of one of the employee namely Shri A.P. Dua for the month of April, 1994. Therefore, the union organized demonstrations/agitation in the branch in the month of June-July, 1994 against the unwarranted wage cut of the said employee for the day. The workman being an active trade unionist, he too participated in the agitation led by the union in the months of June-July, 1994. The Branch Manager agreed to restore the wage cut of Sh. Dua which was refunded to him in the month of August, 1994.

That it is pertinent to mention that the active participation of the workman in the demonstration/ agitation held at the branch during the above period was not at all liked by the Branch Manager as the workman belonged to the lowest category of Staff i.e. Sweeper. The participation of the workman in the union's action programmes caused great annoyance to the Branch Manager that he became inimical and thoroughly biased towards the workman to teach him a lesson for his activities.

That to victimize for trade union activities of the workman, the Branch Manager, Shri D.K. Kohli, procured six complaints from the customers of the branch during the period between 14th August & 22nd August, 1994 against the workman consequent to withdrawal of agitation by the union after the refund of the wage cut of Shri Dua. The workman was suspended from the service in October, 1994 without any show cause or memo. The action of the management of the bank in suspending the workman was in violation of the provisions of the BPS and the suspension was unjustified and unreasonable. However, the suspension was revoked in April, 1995. The sequence of events itself is indicative of victimization and oblique motive of the management.

That the workman was issued a chargesheet dated 02.01.1995 levelling false allegations at the instance of the Branch Manager Shri D.K. Kohli. The bank management even did not bother to ask for reply or explanation but straight away constituted a departmental inquiry itself clearly indicate pre-set of mind of the management. This action of the management is violative of clause 19.1 of the BPS. This is indicative of pre-determined to punish the workman. The victimization is also evident from the fact that the bank did not bother to call for any reply to the chargesheet. The Disciplinary Authority seemed to be in great hurry to penalize the workman and by-passed even the normal rules laid down in the BPS. It is pertinent to mention that in the chargesheet itself one Shri S.K. Malhotra was appointed as an Inquiry Officer and he had instructions to intimate the chargesheeted employee the time, place and date for the inquiry. The Disciplinary Authority has taken all these decisions to hold the inquiry and punish

the workman without affording reasonable opportunity to the workman of submitting his reply to it. The oblique motive of the Disciplinary Authority is evident that it confidently presumed that the reply of the workman to the chargesheet would never be satisfactory and in turn it would have to appoint the Inquiry Officer and initiate disciplinary proceedings against the workman. Such preconceived notions vitiate the entire action. In the instant case the Disciplinary Authority had thrown into the dustbin the procedure prescribed in Para 19.1 01 the BPS by instructing the workman to send the reply of the chargesheet to the Inquiry Officer. It is unheard that the reply of the chargesheet should be adjudged by the Inquiry Officer who has been appointed for the purpose of conducting the inquiry proceedings and give his findings.

That the management held inquiry into the chargesheet dated 02.01.1995. The Inquiry Officer rendered the findings dated 29.09.1997 holding that the charges were proved against the workman. The Disciplinary Authority passed order of dismissal dated 02.11.1998 dismissing the workman from the services. The workman preferred an appeal dated 14-01-1999 challenging the order of punishment dated 02.11.1998. However, the Appellate Authority rejected the appeal of the workman vide order dated 23.03.1999. The workman also preferred an appeal to the Chairman of the bank dated 27.01.2000 but of no avail.

That the action of the bank in dismissing the workman from the service of the bank is illegal and invalid on the following grounds amongst others.

The action of the bank in constituting inquiry directly without calling for reply or explanation to the chargesheet is violative of the provisions of the BPS. This also is indicative of pre-determined mind to punish the workman.

That the findings of the Inquiry Officer in holding the charges were proved against the workman as per chargesheet is perverse without there being any evidence in the inquiry. None of the authors to the complaints were produced in the inquiry. The sole witness to prove the charges was the Branch Manager, Shri D.K. Kohli who was biased against the workman. It was only at the instance of Shri D.K. Kohli, the Branch Manager, the very chargesheet dated 02-01-1995 was issued and who was instrumental in getting the workman suspended and having issued chargesheet and ultimately dismissed for trade union activities of the workman.

That since Shri D. K. Kohli, the Branch Manager, had developed ill-will towards the workman after his participation in the agitation/ demonstrations at the branch in June-July, 1994, with a view to teach the workman a lesson, had procured complaints from the customers, the very initiation of the inquiry was at his instance and the main charges framed against the workman were based on the complaints of the customers. None of the customers/ complainant was produced as a witness. This was done primarily to avoid embarrassment to the management as the customers would tell the truth that the complaints were procured by the Branch Manager. The action of an officer of the rank of Sr. Branch Manager in procuring complaints against a lowest staff itself is indicative of malice. The

Inquiry Officer completely ignored the evidence on record and rather relied upon the sole statement of Shri D.K. Kohli who was biased against the workman. Hence the statement of Shri D.K. Kohli was unreliable in law. Therefore, the findings of the Inquiry Officer holding that the workman is guilty of the charges is nothing but perverse. In fact there is no evidence to prove the charges.

One of the charges leveled against the workman was of unauthorized absence between April-August, 1994 and the MW1 himself had admitted before the Inquiry Officer that his leave standing to his credit was adjusted towards the period of his absence and, therefore, condoned the absence. Having done so there remains no misconduct, if any. Therefore, holding the workman guilty of the charge of unauthorized absence is not only without any evidence but also there was no misconduct. This fact has neither been appreciated by the Inquiry Officer nor by the Disciplinary Authority nor the Appellate Authority. In fact the very charge made out in the chargesheet itself is indicative of the non-application of mind of the Disciplinary Authority. The very absence having been regularized to join duties and also having debited the leave account of the workman, there remains no misconduct of unauthorized absence. Therefore, the issuance of the chargesheet was nothing but indicative of victimization for trade union activities of the workman.

The management has filed written statement. In the written statement it has been stated that averments in para 1 of its SOC are not disputed to the extent that the workman Shrawan Kumar was, in the first instance, engaged as a part time sweeper in the bank's Vasant Vihar Branch in Delhi on 15-07-1983 and thereafter he was employed as a regular sweeper in the year 1991 on scale wage rate and posted in the bank's Nawada Branch, also in Delhi. All other averments of the union in para under reply are incorrect and hence not admitted.

It is denied that the Branch Manager has any animus towards the workman, let alone as alleged by the union. The union's averments are nothing but a figment of imagination and an attempt to cover up acts of grave misconducts the workman was found to have indulging of remaining unauthorizedly absent from duty and of cheating the gullible customers of the bank by inducing them to believe his words. The modus operandi adopted by the workman for duping the bank's customer of their money has been narrated by them in their complaints submitted to the management. It is stated that since the workman was reported to have indulged in serious acts of misconduct specified in the chargesheet therefore, the management had placed him under suspension pending initiation and conclusion of departmental inquiry against him. In placing the workman under suspension pending initiation of departmental inquiry, the management committed no illegality and thus the union's averments to the contrary are based on misconception and ignorance of law.

That there is no denying the fact that a chargesheet dated 02-01-1995 was issued by the bank to the workman as the workman was reported to have committed acts of

grave misconduct; that the management initiated departmental inquiry giving full opportunity to the workman to defend himself which he availed; that on the conclusion of domestic inquiry the Inquiry Officer submitted his report and findings to the Disciplinary Authority for his necessary action; that on consideration of inquiry officer's findings and report the Disciplinary Authority terminated the workman vide orders dated 02.11.1998; that feeling aggrieved with the Disciplinary Authority's order dated 02.11.1998, the workman preferred statutory appeal before the Appellate Authority, that finding no substance or merit in the workman's grounds of appeal, the appellate authority dismissed the workman's appeal vide his orders dated 23.03.1999. Thereafter, the workman moved the bank's Chairman and Managing Director also though there is no such provision either in any of the two natural awards or the HPS. All other submissions of the union casting aspersions on the management's intentions or the passing of orders are based on factual and legal misconceptions as well as ignorance of law and thus the management emphatically repudiates the same. It is reiterated that the management's action taken against the workman is just, fair and legal. The workman's termination is suitable and appropriate considering the gravity of misconducts committed by him and proved against him.

It is stated that imposition of quantum of nature of punishment cannot be universalized in different cases as is suggested by the union due to ignorance of law. The Hon'ble Court would kindly notice that recently the Hon'ble Supreme Court has held that imposition of punishment is the management's province and the courts' won't tread upon the same without sufficient ground.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record.

It was submitted from the side of the management that Mr. Oberai, Proprietor of M/s. New Oberai was standing in queue to deposit Rs. 2350/- towards sales tax on 11.08.1994. The workman went to him and requested him not to stand in queue. He took the money for depositing it but he did not deposit the same.

It was further submitted that on 23.05.1994, Mr. Ajit of M/s. Ritu Garments went to deposit Rs. 2000/- in Current Account no. 739 on 23.05.1994. The workman again went to him while he was standing in queue and took the money with the assurance to deposit.

It was further submitted that one Shri Purosottam Lal, A/c No. 9540 stood in queue in the bank to deposit Rs. 500/-, the workman took the money from him and assured him for depositing it, in the same way the workman took Rs. 500/- from Sh. K.L. Arora and Rs. 350/- from Mr. B. L. Agarwal with the assurances that they need not

stand in the queue and he will deposit the money but he did not deposit the same in the account. He misappropriated the entire amount.

It was further submitted that when Mr. Ajit made complaint to the bank that the workman gave him a post dated Cheque No. 22413 for Rs. 2000/- and he deposited but the cheque was returned with the endorsement "insufficient funds".

The workman gave a withdrawal slip on 31.08.1994 for Rs. 500/- for payment to Shri Purusottam Lal and the same was deposited against Rs. 500/-.

Similarly the workman issued a cheque dated 31.07.1994 for Rs. 350/- when Shri Lalit Kumar demanded the money. It could not be withdrawn due to "insufficient" funds. The workman gave a cheque of Rs. 2350/- to Mr. Oberai for being deposited against the money obtained from him but this cheque also could not be encashed. It was further submitted that all these account holders made a complaint to the Asstt. General Manager, Bank of Baroda.

It was further submitted that the workman remained unauthorisedly absent from April to August, 2000 for almost 20 days and the charges have been framed for unauthorized absence also. It was further submitted that the management examined Sh. M. S. Kohli as MW1. He proved all the complaints made by the customers and defence representative of the workman cross-examined him and filed D - 6 to D - 10 letters written by the same customers.

It was submitted from the side of the workman that Mr. M. S. Kohli, MW1 cherished ill-will against the workman as the workman participated in the agitation in the months of June and July for illegal wage-cut along with the staff of Nawada Branch. The workman took active part so the then Branch Manager, Mr. M. S. Kohli was annoyed with the workman and he obtained complaints from the customers in order to punish him.

It was further submitted that Shri Ajit Kumar Rai, MW2 and Ms. Manju B. Singh were also named as witnesses but they are not presented in the inquiry for evidence.

It is correct that there was wage-cut of certain staff by Shri M. S. Kohli, Branch Manager and the same was refunded to those employees.

It was further submitted that after the preliminary investigation the workman was reinstated.

It was submitted from the side of the workman that all the complainants have sent letters D - 6 to D - 10 and they have stated that the workman took the money by way of loan and they have no complaints against him and they withdrew the complaints. The Presenting Officer did not believe the letters D - 6 to D - 10 as the workman could not produce the authors of the letter by which the previous complaints have been withdrawn.

The workman wrote a letter to the management that he had taken the loans from the complainants/customers and due to illness of his family he could not return the loan.

It is of course not the admission of the guilt of the workman. However, the complaints prove that he has taken the money from the different customers named above. Had he taken the loan then it was the duty to go to the customers and return them the loan. He has not given the money to the customers but he gave to the management withdrawal slips and cheques against the money taken from these customers for being deposited in their respective accounts when complaints were made to the AGM.

It appears that when the complaints were made the workman tried to make payment to the customers whose money he has obtained for being deposited in their respective accounts through withdrawal slips and cheques. He issued the cheques against A/c No. 6480, his own account but the cheques/withdrawal slips were returned as the amount was not sufficient in his account. These transactions of the workman do not inspire faith that he took the money by way of loan from the customers. Had he taken the money then he would have returned it amply by going to them.

It was further submitted from the side of the workman that all the complainant have written letters to withdraw their complaints. In case a misconduct has been committed by the workman, withdrawal of complaints carry no meaning. However, the workman has not examined those complainants to ascertain the truth of withdrawal of the complaints when the Presenting Officer disbelieved those withdrawal of complaints. The Inquiry Officer has also observed that the letters regarding the withdrawal of complaints are not believable. In the circumstances the workman should have examined those complainants in the inquiry or atleast before the Court but he has not done so.

From perusal of the inquiry report it becomes quite obvious that the workman has been given ample opportunity to cross-examine the management witnesses and to adduce his evidence. I have perused the order of the Disciplinary Authority and the Appellate Authority and the findings of the Inquiry Officer. It is true that the management has not examined the customers/complainants. It is settled law that the management is not bound to summon a customer and to examine him. So the management was not duty bound to examine the complainants.

It is settled law that in a domestic inquiry strict and sophisticated rules of Evidence Act are not applicable. Even the Inquiry Officer can hold the charge proved on the basis of hearsay evidence provided it has a reasonable nexus and credibility.

It is also settled law that the Tribunal has no jurisdiction to consider the sufficiency of evidence of a domestic inquiry. The Tribunal can hold findings of the domestic inquiry perverse when there is absence of evidence in support of the findings of the Inquiry Officer or some evidence not relevant under the Evidence Act has been relied upon by the Inquiry Officer to prove the charges as in that case there would be an error of law apparent on the face of the record.

It becomes quite obvious from the perusal of the inquiry report and the findings of the Inquiry Officer that six customers of the bank made complaint to the AGM regarding taking their money while they were standing in queue to deposit it in their account. The workman approached them and requested them not to stand in queue and he assured them that he would deposit their money. The workman has not denied the writings and signatures of the complainants made to the AGM. It is rather admitted that the complaints were written and signed by the six customers whose accounts have also been mentioned in the complaint letters. So sending of the complaint by all these six customers is admitted.

It also transpires that the contents of the complaint have been disputed and the workman has taken the case that he obtained loan from all these six customers. He could not return it in time, so they made complaint to the AGM. It is also the case of the workman that Shri M. S. Kohli, the Branch Manager was annoyed with him and he procured all these complaints. The complaints have been addressed to the AGM and sent to the AGM. The Branch Manager, Sh. Kohli may be annoyed with the workman but it cannot be said that he was instrumental in getting the complaints of the customers sent to the AGM. The customers have addressed the AGM regarding their money being taken by the workman for deposit and has not deposited it.

It also transpires from perusal of the inquiry proceedings that the workman has not taken loans from the complainants. When the complaints were made to the AGM and the workman came to know of the same, he issued withdrawal slips and cheques in his account but the withdrawal slips and cheques could not be credited to the accounts of the complainants/customers as there was no sufficient amount in the account of the workman.

It also becomes obvious that all the complainants have written letters to the AGM for withdrawal of their complaints. In case a workman has committed grave misconduct there is no meaning of the withdrawal of the complaints by the complainants. Once the complaint of the misconduct is made they have no right to withdraw their complaints. The bank can initiate inquiry for ascertaining the truth of the complainants and find out whether his employee has committed the misconduct. In such circumstances withdrawal of the complaints by the complainants is immaterial. The withdrawal letters of complainants have got no meaning as the management was to ascertain the misconduct of the workman.

It also transpires from perusal of the record that the workman took the money of the customers while they were standing in to deposit the same with malafide intention of misappropriating the same for a temporary period. The customers, when they did not find their money deposited in their accounts must have approached the workman and requested him to deposit their money. When they became sure that the workman did not take their money with bonafide intention and he does not intend to deposit the same, they made complaints in writing to the AGM. The theory of loan being taken from the customer is afterthought.

I have perused the findings of the Inquiry Officer and the proceedings of the inquiry. The findings of the Inquiry Officer are based on proper analysis of evidence. The workman took money from the customers, he tried to return the money but he could not do it as he had no sufficient balance in his own account.

So far as the charge of unauthorized absence is concerned it is not found proved as 30 days notice has not been given to the workman by the management. All the other charges are found proved. The inquiry is fair and proper. The workman is not entitled to get any relief.

It has been held in 1972 (25) FLR 45 as under:—

“An industrial Tribunal would not be justified in characterizing the finding recorded in the domestic inquiry as perverse unless it can be shown that such a finding is not supported by any evidence, or is entirely opposed to the whole body of the evidence adduced before it. In a domestic inquiry once a conclusion is deduced from the evidence, it is not permissible to assali that conclusion even though it is possible for some other authority to arrive at a different conclusion on the same evidence.”

It has been held that in domestic inquiry evidence of a solitary witness is sufficient to hold the charges proved.

It has been held in 2001 (89) FLR 427 as under :—

“It is well settled that a conclusion or a finding of fact arrived at in a disciplinary inquiry can be interfered with by the court only when there is no material for the said conclusion; or that on the materials, the conclusion cannot be that of a reasonable man.”

From perusal of this judgment it becomes quite obvious that the Tribunal can interfere with the findings of the Enquiry Officer in case it is perverse. The Enquiry Officer has based his findings on oral as well as documentary evidence. It cannot be said that there is absolute absence of any evidence in support of the findings of the Enquiry Officer.

It was submitted from the side of the workman that the punishment is not proportionate to the misconduct alleged. At the worst the workman took the money from the customers with an assurance to deposit the same and due to unavoidable circumstances he could not deposit the same.

The Bank is a financial institution. It deals with public money. In case money is taken with an assurance to deposit the same and it is not deposited, such an act is grave misconduct as the bank renders public utility/customers service. In the circumstances the punishment is not harsh, disproportionate and shocking to the conscience of the court.

The reference is replied thus :—

The action of the management of Bank of Baroda, New Delhi in dismissing the services of Shri Sharwan Kumar, Ex. Sweeper *vide* order dated 02.11.1998 is just, fair and legal. The workman applicant is not entitled to get any relief as prayed for.

The award is given accordingly.

Date: 28.09.2007.

R. N. RAI, Presiding Officer

नई दिल्ली, 8 अक्टूबर, 2007

का.आ. 3225.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन बैंक के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 154/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 05-10-2007 को प्राप्त हुआ था।

[सं. एल-12011/200/2003-आईआर(बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 8th October, 2007.

S.O. 3225.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. No. 154/2003 of the Central Govt. Indus. Tribunal-cum-Labour Court No. 1, New Delhi as shown in the Annexure, in the industrial dispute between the management of Indian Bank and their workmen, received by the Central Government on 05-10-2007.

[No. L-12011/200/2003-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI SANT SINGH BAL PRESIDING OFFICER

**CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. I
NEW DELHI**

I.D. NO. 154/2003

In the matter of dispute between :

Shri Satya Narain & others
Through The General Secretary,
Indian Bank Staff Union Regd. Delhi
C/o Indian Bank,
309 Main Road, Chandni Chowk,
Delhi-110006.

—Workmen

Versus

The Asstt. General Manager,
Indian Bank,
World Trade Center, Baber Road,
New Delhi - 110001.

—Management

Appearances : Workmen in person with their A/R
Sh. Hameer Singh.

Shri K.B.Raju with Shri V.Raman Manager
for Mgt.

AWARD

The Central Government in the Ministry of Labour *vide* its Order No. L-12011/200/2003 (IR(B-II)) dated 28.11.2003 has referred the following industrial dispute to this Tribunal for adjudication :

“Whether the demand of the union for regularization of services of S/Sh. Satya Narain, Bashir Ahmed, Krishan Avtar, devendra Prasad Kamal, P. Marimuttu, Risi Kumar Hooda, Personal Drivers of Officers of

the Indian Bank is just, fair and legal? If yes, what relief the workmen are entitled to and from what date?"

2. Brief facts of this case as culled from record are that the workmen are personal Drivers of the Officers of the Indian Bank and claimed regularization as regular drivers of the Bank with all benefits.

3. Claim was contested by the management by filing written statement denying the claim of the workmen and praying for dismissal with exemplary costs.

4. Written statement was followed by rejoinder in which controverted facts of the written statement were refuted and those of the claim statement were reiterated to be correct.

5. After completion of pleadings following issues were framed :

1. Whether the dispute is not maintainable as alleged in W.S., ? OPM
2. Whether the reference is bad for want of proper espousal as alleged? OPM
3. Whether there exists any relationship of employer and employee between the parties? OPW
4. As in terms of reference? OPW.

6. Workmen filed five affidavits of workmen on 15.1.07 and case was then posted for cross of workman on 13.3.07 and Shri Satya Narain workman examined as WWI and discharged and for further evidence of the workmen case was adjourned to 2.7.07 when on the request of A/R for workman case was adjourned to 25.9.07. On 25.9.07 Shri Hameer Singh A/R for the workmen moved an application for withdrawal of the case and he was directed to appear on 28.9.07 for recording statement of the workmen for withdrawal of the case. Today i.e. on 28.9.07 all the workmen except Shri P. Marimuttu are present and their statements have been recorded. In view of the statements of the workmen and Shri Hameer Singh on behalf of Shri P. Marimuttu. No Dispute Award is passed in this case. File be consigned to record room.

Dated : 28-9-07

SANT SINGH BAL, Presiding Officer

नई दिल्ली, 9 अक्टूबर, 2007

का.आ. 3226.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. डब्ल्यू. डी. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 68/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-10-2007 को प्राप्त हुआ था।

[सं. एल-42012/272/2002-आईआर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 9th October, 2007

S.O. 3226.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. No. 68/2003

of the Central Govt. Indus. Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure, in the industrial dispute between the management of Central Public Works Department, and their workmen, received by the Central Government on 09-10-2007.

[No. L-42012/272/2002-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT - II

NEW DELHI

Presiding Officer : R.N. Rai.

I.D. No. 68/2003

In the Matter of :

The General Secretary,
All India CPWD (MRM) Karamchari Sangathan,
4823 Balbir Nagar Extension, Gali No.13, Shahdara,
Delhi - 110032.

VERSUS

The Director General (Works),
CPWD,
Nirman Bhawan (Elect) Division - II,
CPWD, IARI, Pusa,
New Delhi - 110 011.

AWARD

The Ministry of Labour by its letter No. L-42012/272/2002-IR(CM-II) Central Government Dt. 08.05.2003 has referred the following point for adjudication.

The point runs as hereunder :—

"Whether the non-regularization of the services of the claimant workman by the management of the Director General (Works), CPWD (Elect), Division No.II, IARI, Pusa, New Delhi from the date of his initial appointment is just, fair and legal? If not, to what relief the said workman is entitled and from which date."

The case of the workman is that the claimant was employed by the management through contractor. The contract is sham. He worked directly under the control and supervision of the management. He shall be deemed to be directly employed by the management.

The management has filed reply. In reply it has been stated that the workman was engaged through the contractor. He worked under the control and supervision of the contractor and payment to him was made through the contractor.

The workman has filed rejoinder, but after filing rejoinder, he did not turn up. He has filed case through union. The union representative stated that the workman is not turning up. It is also vivid from the order sheet that he has been given several opportunities to file affidavit but he has not done so. The workman has failed to prove the averments of his claim by cogent documentary and oral evidence. The workman is not entitled to get any relief.

The reference is replied thus :

The non-regularization of the services of the claimant workman by the management of the Director General (Works), CPWD (Elect), Division No.11, IARI, Pusa, New Delhi from the date of his initial appointment is just, fair and legal. The workman applicant is not entitled to get any relief as prayed for.

Date: 04-10-2007

R. N. RAI, Presiding Officer

नई दिल्ली, 9 अक्टूबर, 2007

का.आ. 3227.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मिलिट्री इंजीनियरिंग सर्विसेस के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, नई दिल्ली के पंचाट (संदर्भ संख्या 26/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-10-2007 को प्राप्त हुआ था।

[सं. एल-14012/32/2003-आईआर(डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 9th October, 2007

S.O. 3227.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 26/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Military Engineering Services and their workmen, which was received by the Central Government on 09-10-2007.

[No. L-14012/32/2003-IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE SHRI SANT SINGH BAL, PRESIDING OFFICER

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1

NEW DELHI

I.D. NO. 26/2004

In the matter of dispute between :

Shri. Vinod Kumar and others,
C/o Delhi Labour Union,
Aggarwal Bhawan,
G.T. Karnal Road, Tis Hazari,
Delhi-110054.
...Workmen

Versus

The Garrison Engineer (I) R & D,
Military Engineering Services,
Lucknow Road, Timar Pur,
Delhi-110054.

...Management

Appearances : None

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-14012/32/2003-IR(DU) dated 19-4-2004 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the demand of the Union in regard to the regularization of the services of workmen worked as contract labourers (as per list enclosed) on the establishment of Garrison Engineer (I), R * I, Military Engineering Service (MES), Lucknow Road, Timarpur, New Delhi is just, fair and legal? If yes, what relief these workmen are entitled and from which date?"

Reference was received on 5-5-04 and notice to the parties were issued for 7-7-04 and till today claim statement is on filed. None is appearing for the workman for the last six hearings A/R for the workman last appeared in this case on 23-11-05 and thereafter none appeared for the workman on 8-3-06, 24-5-06, 23-8-06, 20-11-06, 14-5-07, 24-7-07 and today on 4-10-07. It appears that the workman is not interested in prosecution of this dispute. Hence No Dispute Award is passed. File be consigned to record room.

SANT SINGH BAL, Presiding Officer

Dated : 4-10-07

नई दिल्ली, 10 अक्टूबर, 2007

का.आ. 3228.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इवॉन इंटरनेशनल लि. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, नई दिल्ली के पंचाट (संदर्भ संख्या 01/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-10-2007 को प्राप्त हुआ था।

[सं. एल-41012/98/2002-आईआर(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 10th October, 2007

S.O. 3228.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 01/2003) of the Central Govt. Industrial Tribunal-cum-Labour Court No. 1, New Delhi as shown in the Annexure, in the industrial dispute between the management of Ircon International Ltd. and their workmen, received by the Central Government on 10-10-2007.

[No. L-41012/98/2002-IR(B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI SANT SINGH BAL PRESIDING OFFICER

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1 NEW DELHI

I.D. NO. 1/2003

In the matter of dispute between :

Shri Yogender Prashad Verma, Ex-driver
S/o. Shri Ram Nath Prasad,
R/o. Vill. & Post Office Sikri, Ballabgarh,
District Faridabad (Haryana)

...Workman

Versus

The General Manager,
M/s. Ircon International Ltd., Palika Bhawan,
Sector -13,
R. K. Puram,
New Delhi.

... Management

Appearances : None

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-41012/98/2002-I R(B-I) dated 18/22-11-2002 has referred the following Industrial dispute to this Tribunal for adjudication :

“Whether the action of the management of M/s. Ircon International Limited, New Delhi in terminating the services of Shri Yogender Prashad, Ex-driver with effect from 04-06-1998 is justified? If not, what relief he is entitled and from which date?”

2. Brief facts of this case as culled from record are that, the respondent is a Government of India undertaking and a company formerly known as Indian Railway Construction Company Ltd., having its Corporate/Regd. Office at Palika Bhawan, Sector 13, R. K. Puram employing more - than 1000 employees in and abroad the country and the workman was initially appointed as Driver on daily wages @ Rs. 17 per day w.e.f. 1-1-1985 by the respondent company through its Regional Manager Ircon-Anpara Project (Mirzapur U.P.) and an office order No. 20/85 dated 14-2-1985 was issued. That the GGM(P) Ircon, New Delhi vide his letter No. Ircon/Estt/35/10249 dated 2-1-1988 sanctioned the grant of the scales of pay to the workman vide office order No. 9/88 bearing Endst. No. Ircon/Anp/Estt/15/C/268 dated 11-1-1988 was issued by Regional Manager, Ircon Anpara, communicating the sanction granting pay in the scales of 260-400 w.e.f. 24-12-1985 to the claimant to concerned offices and officials. Appointment letters dated 19-5-88 were issued by Regional Manager Ircon Anpara and a copy of the same was sent to the Group General Manager (T) Ircon, New Delhi for training vide office Order No. 79/91 dated 25/26-9-1991 issued from office of Regional Manager Ircon, Rihand Nagar. Claimant was directed to report at Faridabad for training as Operator in terms of General Manager (P) Office Order No. 946/91 vide office order dated 9-10-93. Workman was directed to report M/s. Escorts Ltd. Industrial Equipment Division, Faridabad for training vide letter dated 9-10-91 and he successfully completed his training as operator. After completion of his training he was directed to report to Regional Manager, Rihand Nagar Project, vide Office Order dated 18-11-91 under intimation to GM (P) Ircon. He was transferred on sanction of the competent authority vide Office Order No. 1202/1991 from Rihand Nagar Project to Delhi Mathura High Way, Faridabad. Thereafter he appeared for trade test of Driver on 15-12-1995 at 9.00 a.m.. Again in 1997 he appeared for trade test for regularization of drivers and he was informed that his bio-data was sent for consideration for regularization and he was advised to submit documents by 31-3-97. His last drawn wages were Rs. 4408. His services were regularized by Head Office, Ircon, New Delhi and on 3-8-88 after noon claimant was not allowed to report

for duty and his services were terminated illegally and arbitrarily in violation of all rules, legal procedures and principles of natural justice through he was not offered any alternative job opportunity. This also amounts to unfair labour practice and is in violation of provisions of Section 25 G and 25-N and other provisions under I.D. Act, 1947. It is pertinent to mention that company is running many projects and 1000 employees were working there at the time of termination of the claimant. Claimant filed writ petition in the High Court and was directed to approach this Industrial Tribunal. He also made representation to the respondent employer company by sending demand notice through post but of no avail. He requested the respondent to allow him to join duty but of no use. He requested for reinstatement in service with continuity of service and full back wages and consequential benefits.

3. Claim has been contested by the management by filing written statement denying the claim of the workman and praying for dismissal of the claim.

4. Written statement was followed by rejoinder wherein the controverted facts of the written statement were refuted and those of the claim statement were reiterated to be correct.

5. Thereafter after framing of issues vide order dated 27-9-05 the case was fixed for evidence of the workman by way of affidavit and posted to 1-12-05. On. 1-12-05 The case was adjourned to 22-2-06, 3-7-06, 9-10-06, 6-12-06 which was changed to 7-12-06, 13-2-07 and on 11-4-07 Shri K. P. Singh A/R for the workman requested for adjournment and stated that the affidavit of the workman is ready but not signed by the workman due to illness of the workman. Hence case was adjourned to 12-6-07 for filing w/affidavit and workman was given last opportunity to adduce evidence by way of affidavit and thereafter also case was adjourned to 17-7-07 then to 25-9-07 i.e. for today the case was awaited upto 3.30 PM but none appeared on behalf of the workman despite several calls since morning. From the above it appears that the workman is not interested in prosecution of this claim. Hence no dispute award is accordingly passed and file be consigned to record room.

SANT SINGH BAL, Presiding Officer

नई दिल्ली, 10 अक्टूबर, 2007

का.आ. 3229.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ़ हैदराबाद के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 252/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-10-2007 को प्राप्त हुआ था।

[सं. एल-12011/13/2000-आई.आर. (बी.-I)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 10th October, 2007

S.O. 3229.—In exercise of the Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref No. 252/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the

Industrial Dispute between the management of State Bank of Hyderabad, and their workmen, received by the Central Government on 10-10-2007.

[No. L-12011/13/2000-IR(B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI A. N. YADAV Presiding Officer CGIT-CUM-LABOUR COURT, NAGPUR.

Case No. CGIT/NGP/252/2000

Date: 03/10/2007.

Petitioner The President/Secretary,
Shram Soshan Virodhi Kamgar
Sanghatan, Gautam Nagar, Opp. Bus
Depot,
Latur:- 413531 (M.S.). **Party No.1**

Versus

Respondent (1). The Managing Director,
State Bank of Hyderabad, IRD Head Office,
Gunfoundary, Hyderabad (A.P.).
(2). The Regional Manager,
State Bank of Hyderabad, Region- 1,
Nanded, District:- Nanded (M.S.).

AWARD

[Dated: 3rd, October, 2007]

The Central Government after satisfying the existence of disputes between The President/Secretary, Shram Soshan Virodhi Kamgar Sanghatan, Gautam Nagar, Opp. Bus Depot, Latur (M. S.), Party No.1 and The Managing Director, State Bank of Hyderabad, IRD Head Office, Hyderabad and The Regional Manager, State Bank of Hyderabad, Region - 1, Latur (M.S.), Party No.2 referred the same for adjudication to this Tribunal vide its Letter No L-12011/13/2000-IR(B-1) Dtd. 10/08/2000 under clause (d) of sub section (1) and sub section (2A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule :

(2) "Whether the action of the management of (1). Managing Director, State Bank of Hyderabad, H.O., Hyderabad (A.P.) and (2). Regional Manager, State Bank of Hyderabad, H.G., Nanded (M.S.) in not regularizing the services of enlisted 10 employees timely as per provisions of the Bank and terminating the services of 4 employees out of 10 employees without notice was legal and justified? If not, what relief the said workman is entitled to and from what date?"

(3) The petitioner Secretary, Shram Soshan Virodhi Kamgar Sanghatan has approached to the Tribunal with the allegation that its member Balaji Patil, Raosaheb Gangawane, Ashok Surwashe, Angad Kamble were removed from the service w.e.f. 17-03-1999 without any notice and even the written order. The names of Raosaheb Gangawane, Ashok Surwashe and Angad Kamble are even removed from the Muster Roll. According to it the removal amounts to a retrenchment that has been affected by the management without following the proper procedure. The list of these persons was not displayed before 7 days. Even the seniority list is not displayed on the board.

(4). In all four junior workman namely Shri Birajdar. Shri Shinde, Shri Waghmare were engaged, without publishing the seniority list and notice showing the availability of the work. It is also contended that some of the juniors to them were retained and continued on the work. It is a breach of Section 25 (H) of I. D. Act. The petitioners have given name of 10 persons at Page No.4 of the Statement of Claim and contended that they have worked continuously from the dates mentioned against their names which ranges from 1982 to 1998, except Sweeper SK. Habib Haidar sab who is working from 1978; still they are not made permanent. The management is taking 8 hours duty. It is taking the work of 3 posts paying for only one post. They are not given a cadre pay.

(5) It is also contended that the Management is threatening the members of the petitioner Union. They are not paid cadre pay as per revised rules. Finally they have prayed to direct the Respondents to reinstate the 4 members mentioned above with back wages. They shall be made permanent given the work of one post only. The management be directed not pressurize the members of the petitioner Union.

(6) The respondent Bank filed the Written Statement and resisted the claim of the petitioner. It has contended that the Indian Bank Association on one hand and the various federations of the Bank Employees Union on other hand had entered in the settlement governing 95% of the Banks under Sections 2 (p) and 18 (1) of I. D. Act which are called as by partite settlements. At present fifth by-partite settlement of April, 1989 is in force and it governs the service conditions including the scale wages, basic pay, city compensatory allowances, special allowance, house rent, dearness allowance payable to the full time worker and other employees of the Bank. The part time employees not drawing scale wages shall be eligible only for fixed monthly payment to them by the Bank.

(7) According to it permanent subordinate employees can be classified into six categories depending upon the numbers of the hours they worked in a week. The management giving the six categories on the basis of the working hours submitted that the workmen who are working for less than six hours in a week, granted wages on a consolidated basis. The permanent employees who have been working for more than six hours in a week are generally given a scale wages prescribed under the by-partite settlements. A circular letter No. 98-99/42 Dt. 23-05-1998 is meant for absorption/conversion of the few permanent part time employees on the scale wages in Messenger Cadres subject to the certain conditions/qualification by the eligible candidates. This policy was subject to the availability of the work for the required hours at a particular centre and availability of the vacancies. The wages are revised from time to time as per settlements and the management has given the various part time wages paid to part time workman on the basis of the number of working hours. These instructions were applicable to the part time employees working on the consolidate wages whose appointments were duly approved by the Controlling Authority. The staffs working as a Sweeper or with the multiple designations were governed by the policy laid down under circular No.

98-99/20 Dtd. 17-04-1998. The circular was applicable from the date of its issuance. The services of scavengers are governed by the circular No. BER. 98-99/38 Dtd. 07-09-1998.

(8) In a emergent circumstance with a due consideration of the safety and security of the Bank, some branches were constrained to appoint Watchman/Chowkidar for the period of 90 days. The services such as appointment were made in the year 1998. The Government of India now has taken a policy decision and directed the Banks not to engage the labours on the temporary basis.

(9) According to the Management six workmen who are demanding regularization have already been made permanent in the bank services and now their case does not exist. So far as termination of 4 (four) employees is concerned the bank has denied that they have completed the 240 days continuous service in the relevant period of 12 months. They being daily wagers bank is always entitled to disengage them because their services were utilized as and when required and existence of the work.

(10) According to the Management the petitioner is misunderstanding the expression appearing in the schedule. In fact it means making the job permanent from the status of "Temporary" there is no provision in any law or rule making it obligatory to bank to give permanent job to daily wagers. These four workmen have worked for less than 100 days there is no contractual or legal obligation on the Bank to provide them permanent job.

(11) Giving the details in respect of each workman/petitioner the Management has denied the allegations of the petitioner/Union. It has denied that petitioner/Union is the Union of the employees working under the management. The four persons have not completed the 240 days continuous service. Neither the notice nor the compensation as per sec. 25 (F) of I.D. Act was necessary. These 4 workmen were not disengaged 17-03-1999. It has denied that it has not prepared the seniority list and the names of the above 4 employees were removed from muster roll. It has denied that by engaging Birandar, Shinde and Waghmare it has committed the breach of sec. 25 (H). It has denied they were working for 8 hours. Though they were given multiple designations the working hours were not increased. The bank has paid the wages as per bi-partite settlements and the circulars issued from time to time. The Bank has given the appointment letters which are in their possession and the union is not entitle for any relief as claimed. Finely it has prayed to dismiss the reference by answering it in the negative.

(12) I have heard Mr. Saikh for the union and Mr. S.K. Kurnar for the management. So far as the Claim in respect of regularization of the 6 workmen, now there exists no dispute since they have been already regularized. The representative of the Union has also restricted his submissions only to the cause of four workmen whose removal has been challenged.

On the basis of the above pleadings, the following points arise for my consideration

1. Whether Balaji Patil, Raosaheb Gangawane, Ashok Suroshe and Angad Kamble have worked continuously for more than 100 days in one calendar year?
2. Whether the management Bank has committed a breach of Section 25-F of I.D. Act by terminating their services without any notice?
3. Whether the management engaged Birajdar Shinde and Waghmare who were juniors to above 4 persons and committed a breach of Section 25-(h)?

(13) In order to prove their respective contention, the petitioner union has examined its President, Shri Paramshwar Gaikwad while the management examined its Deputy Manager. They both have supported their contention and they are cross examined on behalf of opposite party also. It seems that no body from the above 4 persons is examined by the petitioner's union. No doubt the President of the union is claiming that he has a full knowledge about the claim of the each workman but his evidence lacks about the details of their services. From his cross examination it seems that he has no knowledge about working days each workman and in what capacity the petitioner workmen were working. Apart from the question whether it was continuous or not the evidence of the President of the Union is very vague in all respect.

(14) According to the respondent it has given the written orders on every time and it was obligatory on the workman to produce those orders to prove their contention. While according to the petitioner union, despite of their notice no document as demanded are produced, therefore an adverse inference should be drawn against the management. In fact the initial burden lies always on the party who claims to have completed specific continuous service under the respondent management and had acquired permanency. If the written orders were given and are in their possession it was necessary to produce them. The management has brought the copies of statement of the working days of the above 4 employee and the same, has repeated in the Written Statement as well as in the evidence. This statement show that Angad Kamble has completed only 85 days during the period from 29-10-1997 to 11-06-1998 as a Watchman during the leave period of a regular Watchman. Ashok Suroshe has worked only for 82 days during the period from 13-05-1998 to 24-09-1998. Shri Raosaheb Gangawane has worked as Watchman at Latur Main Office between the periods from 13-05-1997 to 09-10-1997 for 82 days on a leave period of regular Watchman. Balaji Patil has worked for 147 days during the period from 07-04-1995 to 04-02-1999.

(15) Perusal of the cross examination of the President of the union shows that he has no detail knowledge about the period they have worked. In the cross examination he has admitted that Angad Kamble has worked for 85 days.

It is not the case or it is not deposed even in the affidavit by the President of the union that the petitioner workmen were working for 240 days or more during the preceding 12 months from the date of removal from the service in one calendar year. The witness of the union has admitted that he worked for 91 days. Similarly according to the management Ashok Suroshe worked for 82 days as a Watchman purely on a daily wages in a temporary capacity. Raosaheb Gangawane has worked for 82 days according to the management and Balaji Patil has worked for 147 days. There are no pleading on the behalf of the petitioners that all the above 4 persons have completed 240 days. The President of the union has nowhere stated that they have completed 240 days continuous service with in 12 months preceding to the order of removal. They have even not produced any document to show that they worked for more than even 100 days. As against this the evidence of the Bank specifically discloses the actual working days and that has been supported by their statement filed by the Bank. No doubt the Bank has not produced the original Muster Roll or any other documents as demanded by the petitioner but no adverse inference can be drawn against the management since no evidence has been produced by the petitioner in respect of their claim for permanency. In the cross-examination the witness of the management, as submitted by the petitioner has admitted that he has no knowledge on what basis the statement was prepared, still the evidence on behalf of the petitioner by examining the workman who have actually worked, was necessary to show that they have completed more than year. It was also necessary to produce the orders received to them. It is the case of Management that they have worked in leave period of the regular workman of the bank. They were engaged purely on the temporary basis. Nobody except Balaji Patil has even worked for more than 100 days. Balaji has worked for 147 days but it is not continuous. He was working as sweeper once in a week from 10-07-1995. It means he has completed 147 days from 1995 till the date of alleged retrenchment. He was part time workman. They were paid as per Bipartite Settlements which are applicable to the bank employees. In the relevant year 5th bipartite which took place in April 1989 was applicable. In such circumstances it is difficult to accept the submissions of the union that they are entitled for the compliance of Sec. 25 and it is a retrenchment. The petitioner has cited one case C.A. No. 1811 of 1992 between Central bank of India and S. Satyam of Hon Supreme Court reported in FLR 1996(74) Page 2063 and submitted that there is no need to have continues service for regularization and payment of compensation but the facts the cited case and the issue before the Hon'ble S.C. was of Sec. 25 H only, I discussed the evidence regarding case before me in next para. In my humble view it is restricted for 25 (H) and it is not of the assistant of petitioner.

(16) The petitioner Union has also made the grievances regarding the appointment of Birajdar. Shinde and Suroshe. They were appointed in place of above workmen/ Petitioners. The management has admitted that due to urgency they were given the work for short period of 90 days, but later on as soon as the position has become

normal they were removed. At present none of them is working. In fact Reference does not cover the aspect of breach of Section 25H of I.D. Act, and findings in this respect will be exceeding the jurisdiction. Apparently at present none of the above persons are working. Now the Central Govt. has taken the decision for not engaging any daily wager. Therefore now the question of engaging the juniors has no consequences.

(17) The same thing about the allegations of the petitioner that the management is taking the work of three post from the petitioners and they are paid only for one post. It is also contended that the management is taking the excess work up to 8 hours from them daily though they are paid for the less hours. All these submissions are not covered in the reference. The schedule is only in respect of non-compliance of Section 25-F i.e. one month notice and payment of retrenchment compensation amount. The petitioners by filing a Statement of Claim added more pleading and giving findings on them would be exceeding its jurisdiction. However it seems that the management was paying to the petitioners as per bipartite settlements and there is nothing on record to show that work for 8 hours was taken from them. No doubt they were designated as a Sweeper-cum-Waterman etc. but their working hours were not increased. Similarly there is nothing to prove the allegations of the threats extended by the management to the workman and alleged activities of breaking the Union. In such circumstances no inference can be drawn that the management is indulging in unfair practices. In the result in opinion the petitioners failed to prove that they are entitled for the notice and retrenchment compensation and the management has committed the breach of Section 25-F. Hence the reference is answered in negative in respect of the above four removed workmen and there remained no dispute about the six workmen who are made permanent.

Dated 3-10-2007

A.N. YADAV, Presiding Officer

नई दिल्ली, 10 अक्टूबर, 2007

का.आ. 3230.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार युको बैंक के प्रबंध तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 43/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-10-2007 को प्राप्त हुआ था।

[सं. एल-12012/183/2002-आई आर (बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 10th October, 2007

S.O. 3230.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 43/2003) of the Central Government Industrial Tribunal-cum-Labour Court No.-2, Dhanbad as shown in the Annexure in the industrial dispute between the management of UCO Bank, and their workmen, received by the Central Government on 9-10-2007.

[No. L-12012/183/2002-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (No.2) AT DHANBAD.****PRESENT****Shri Nagender Kumar, Presiding Officer**In the matter of an Industrial Dispute under Section 10(1)
(d) of the I.D. Act., 1947.**REFERENCE No-43 OF 2003****PARTIES:** Employer in relation to the management of
UCO Bank, Patna and their workman.**APPEARANCES**On behalf of the : Mr. B.N. Singh,
workman Advocate.On behalf of the : Mr. D.K. Verma,
employers Advocate.

State : Jharkhand Industry : Banking.

Dated, Dhanbad, the 27th Sept., 2007

AWARD

The Government of India, Ministry of Labour & Employment, in exercise of the powers conferred on them under Section 10(1) (d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No.L-12012/183/2002-IR (B-II) dated, the 17th March, 2003.

SCHEDULE

"Whether the action of the Management of UCO Bank, Patna in terminating the services of Shri Mithu is legal and justified ? If not, what relief is the disputant entitled to?"

2. In this case both the parties appeared through their authorised representative and filed their respective Written Statement etc. Subsequently at the stage of filling documents, Ld. Advocate for the concerned workman by filing a petition submitted prayer to pass a 'No dispute' Award in this reference as the concerned workman is not interested to proceed with the hearing of this case. No objection raised on behalf of the management in view of the prayer made by the workman side.

Since the concerned workman involved in the reference is not interested to proceed with the hearing of the case and as no objection raised on the side of the management, I do not find any ground to adjourn the case *suo moto* for years together. Under such circumstances, a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

NAGENDRA KUMAR, Presiding Officer

नई दिल्ली, 11 अक्टूबर, 2007

का.आ. 3231.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओरिएण्टल इश्यूरेन्स कं. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-1, हैदराबाद के पंचाट (संदर्भ संख्या 13/1993) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-10-2007 को प्राप्त हुआ था।

[सं. एल-17012/55/92-आईआर(बी-11)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 11th October, 2007

S.O. 3231.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 13/1993) of the Industrial Tribunal No.-1, Hyderabad as shown in the annexure in the industrial dispute between the employers in relation to the management of Oriental Insurance Company Limited and their workmen, which was received by the Central Government on 10-10-2007.

[No. L-17012/55/92-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE**BEFORE THE EMPLOYEES INSURANCE COURT,
AT HYDERABAD****PRESENT****Sri G. Chakradhara Rao, B.Com., B.L. Chairman (FAC)**

Dated this the 20th day of September, 2007

I.D. No. 13/93**BETWEEN:**Sri K. Hanumantha Rao,
Podanandipadu post,
Guntur District, A.P.

...Petitioner

AndThe Regional Manager,
Oriental Insurance Co. Ltd.,
Regional Office,
P.B.No. 45, Greensland Road,
Banumpet, Hyderabad-16
...Respondent

This Industrial Dispute is coming on before me for hearing on 11-9-2007, upon perusing the petition, counter and other material available on record and upon hearing the arguments of Sri A. K. Jayaprakash Rao, Advocate for the petitioner, Smt. A. Anusuya, Advocate for the respondent, and the matter having stood over for consideration, till this date, this Court passed the following :

AWARD

1. The Government of India, Ministry of Labour, New Delhi by its order number held as 17012/55/92-IR (B-II) dt. 16-2-1993 made a reference under Sec. 10 (1) (d) and 2 (A) of Industrial Dispute Act, 1947 for adjudication of the Industrial Dispute mentioned in the schedule which reads as follows:

"Whether the action of the management Oriental Insurance Company Limited in removing Sri K. Hanumantha Rao, Ex-Inspector from service is justified?

If not, to what relief Sri K. Hanumantha Rao is entitled to?"

2. After receipt of the notice the workman approach the Tribunal and filed his claim contending by *inter alia* as follows:

The petitioner joined the service of the Oriental Insurance Company Limited in the year 1980 and now designated as Development Officer at Pedanandipadu. He was served with a chargesheet dt. 26-11-1986 alleging that during 1984 he abused his position as a public servant issued 8 cover notes with anti dates in collusion with private parties after a fire accident took place on 15-8-1984. The petitioner submitted a detailed explanation, and an enquiry was conducted. The order of removal from service was issued and it was confirmed by the appellate authority on 27-9-1991. The respondent accepted the premium paid by the parties without any demur. The chargesheet was served two years three months after the fire accident. The petitioner posted the cover the notes and cheques on 14-8-1984 itself. On earlier occasions also the petitioner issued cover notes worth of Rs. 40,00,000 without informing the controlling officer either by telegram or by telephone or in person. There are no instructions from issuing telegram whenever higher risks are covered. The petitioner booked a telephone call on 14-8-1984 to the residence of Branch Manager and Divisional Manager out of abandoned caution but the call did not fructify. The CBI also enquired in this regard and found that the petitioner booked the call. The cover notes were issued at 4 p.m. on 14-8-1984 and the letter could not be cleared from box till 16-8-1984 as the time for clearance expired on 14-8-1984 and 15-8-1984 was national holiday. The CBI found nothing against the petitioner and so no action was initiated against him. The parties who insured the goods filed suit against the respondent. So the petitioner was made scapegoat. The petitioner was appointed by the respondent at Pedanandipadu with full knowledge of his relationship with Sri S. Veera Badraiah. Therefore the petitioner is entitled for relief of reinstatement as prayed for.

3. The respondent filed its counter by denying the statements in the petition on 21-3-1994 and amended counter on 25-3-1994. The respondent admitted that the petitioner was appointed as Inspector on 20-2-1980. It is further contended that the petitioner is close relative of Veera Badraiah, who is the Managing Partner of M/s Veera Badraiah Company and Pedanandipadu Cotton Press which are sister concerns. The Petitioner colluded with Veera Badraiah and other and issued 8 cover notes for a sum of Rs. 82.50 lakhs with an anti date 14-8-1984 after the fire

accident took place on 15-8-1984. He posted the covered containing the duplicate cover notes and cheques on 16-8-1984 and the Branch Manager Guntur received the same on 22-8-1984. The petitioner has not done the business of 82 lakhs on any earlier occasions. The said Veera Badraiah and company has not insured the plant and building till the cover note for 50 lakhs was issued for more than one year. The petitioner informed the Branch Incharge about the out break of fire on 15-8-1984, but he failed to intimate the issuance of cover notes. The petitioner should have acquainted himself with circular dt. 15-10-1976 by which an Inspector is required to inform the controlling office telephonically or telegraphically about the issuance of the cover notes. The petitioner clearly violated the rules. The CBI did not initiate criminal action against the petitioner but suggested departmental enquiry for major punishment. So there was no delay in issuance of charge sheet. The acceptance of premium does not prevent for taking action against the employee if there is any serious misconduct indulged in by him come to their notice later. The petitioner is not a workman. His work involves recruitment, training and controlling the agents to develop the issuance business to service, the business and other functions; as such this Tribunal has no Jurisdiction.

4. This Tribunal had the validity of the domestic enquiry and by an order dt. 31-5-1995 held that the domestic enquiry is defective and as such why the respondent filed L. A. No. 124/95 to decide as to whether the petitioner is a workman or not as a preliminary point, which was dismissed with an observation that the said point will be decided in the Award. The same was confirmed by A. P. High Court on 6-2-1996 in W. P. No. 28782/95.

5. The respondent/management examined M. W-1 to M. W-5 and marked Ex. M-1 to M-44. The petitioner side he was examined as W. W-1 and marked Ex. W-1 to W-5.

6. Heard both sides.

7. The points for consideration are:-

"Whether the action of the management Oriental Insurance Company Limited in removing Sri K. Hanumantha Rao, Ex-Inspector from service is justified?

If not, to what relief Sri K. Hanumantha Rao is entitled to?"

Point

8. The petitioner filed a claim statement against the respondent to set aside the order of removal dt. 28-11-1990 passed by the respondent holding it as an illegal and invalid and grants the relief of reinstatement into service with full backwages, continuity of service and all attendant benefits.

9. The respondent case is that the petitioner was close relative of S. Veera Badraiah, who is the Managing Director of M/s Veera Badraiah company and M/s Pedanandipadu Cotton Press and he colluded with Veera Badraiah and issued 8 cover notes for a sum of Rs. 82.50 lakhs with an anti date 14-8-1984 after fire accident took place on 15-8-1994 and posted covers containing duplicate cover notes and cheques on 16-8-1984 and the Branch Manager Guntur received the same on 22-8-1984, so a

charge sheet was issued on 26-11-1986 and thereafter removed him from service vide order dt. 28-11-1990.

10. Thereafter he approached the Government, who referred the same for disposal for adjudication and to submit an Award.

11. Thereafter W. W.-1 was examined on behalf of the petitioner and marked Ex. W-1 to Ex. W-9. M. W-1 to M. W-5 were examined on behalf of the respondent and marked Ex. M-1 to Ex. M-44.

12. After hearing both sides this Tribunal passed an Award vide order dt. 18-1-1997 by holding that the reference is not maintainable in this Tribunal.

13. Aggrieved by the same the petitioner herein filed a W. P. No. 29323/97 and W. P. No. 24259/99 before the Hon'ble High Court, in which the Hon'ble High Court held that once the petitioner was not a workman within the meaning of Sec. 2-s of the I. D. Act it had no jurisdiction. Thereafter to examine the merits of the dispute and direct the payment of compensation, since, however the Award is being quashed on the ground that the Tribunal had failed to assign reason in support of its conclusion that the petitioner is not a workman within the meaning of Sec. 2-s of the I. D. Act. This question becomes an academic. The Award is accordingly quashed and the matter was remanded back for its consideration afresh on the basis of evidence already adduced before it, to determine the question whether the petitioner is/is not a workman within the meaning of Sec. 2-s of the I. D. Act and thereafter passed an Award in accordance with law.

14. Thereafter both sides appeared before this Court and submitted their arguments.

15. As per the directions of the Hon'ble High Court and in view of the reference it is necessary to determine the question as to "Whether the petitioner is/is not a workman within the meaning of Sec. 2-s of the Industrial Dispute Act?" In this regard, it is not in dispute that the petitioner was appointed as Inspector in the respondent company during 1980 vide order dt. 14-9-1980, as a Inspector initially he was appointed for probation of 12 months on completion of the same with certain conditions he will be eligible for appointment of probationary Inspector Gr-I and during the probation period as a trainee Inspector or as a probationary Inspector Gr-I he should pass Inspector examination conducted by the Federation Insurance Institutes or such other exam which may be stipulated. On satisfactory completion of probationary period as Probationary Inspector Gr-I and subject to his passing the Inspector examination of the federation of the insurance institution is eligible for confirmation as Inspector Gr-I by placing in a particular scale with attending allowances such as D. A, HRA, CCA, Entertainment Allowance, Conveyance allowance as applicable under rules. His duties and functions are he is appointed on an old time basis and he shall devote his full time and attend the company. He shall organize and develop general insurance for the company in and his duties and functions will include other things the following;

(i) to recruit, train, direct and control the agents under him.

(ii) to introduce develop and service general insurance business in the area under his jurisdiction.

(iii) to prepare and issue kutchra receipts and cover notes and to maintain business statements.

(iv) to service any business which may be assigned to him by the company and to discharge such order functions as may be assigned to him by the company.

16. Ex. M-17 further shows in recommending appointment every care shall be taken by him to ensure such persons are recommended and introduced by him, who are expected to and likely to engage in the general insurance selling on behalf of the company, however the company reserve the right to reject the recommendation and he should abide by all rules and regulations of all tariffs in respect of tariff business and rules and regulations of the company and he shall not exceed in any way the authority given to him. His responsibility to issue cover notes in respect of business agents secured under him and he will issue all documents and only in accordance with the authority given to him by letter of authority and the full records with rules and regulations of the company and tariff. And his responsibility sends to H1-D.O necessary cover notes, receipts, correspondent on other document immediately on their being issued and follow strictly the procedure and underwriting laid down by the company from time to time on behalf of the company. And his duty is to see that proper service rendered by him and by the agents working under him to the policy holder and concerned parties and it will be his duty and responsibility to collect necessary premium and credited to the company according to the instructions laid down by the management or by its duly authorized officers. He must sign on muster rolls maintain a diary of day to day activities in the books supplied by the company, carryout all the functions laid down by the respondent as indicated in schedule-a appended to Ex.M-17. And he requires to create permanent organization of several active agents who shall be recruited by him from time to time. And he is liable to transfer from one company/unit to another company/unit subject to amendments from time to time and rules and regulations as may be in force from time to time. And schedule-a contains Inspector functions with regard to his operations and his liabilities therein.

17. It is not dispute that the post of Inspector was re-designated as a Development Officer in the year 1987 by Ex.M-18 dt. 13-2-1987 in which enumerated the duties and functions of an Inspector that is as per clause 8 of Ex.M-17. The development officer shall to carry on General Insurance and required to maintain a record procured by them; they were all admitted by the petitioner.

18. Basing on the above functions and duties both sides argued at length. As per the arguments advanced by the petitioner counsel the petitioner will come within the meaning of Sec.2-s of the I.D. Act and submitted that he is a workman. In this regard the learned counsel for the petitioner relied upon a decision reported in 1998 LLJ I in the case between Mahajan Borewell Company, Bangalore

and other Vs. Rajaram Bharat and another, as per the said judgment the onus of proving is not lies on the management. The learned counsel for the petitioner also relied upon a decision reported in LLN 9 1991 at page 1131 R. M. Narekar Vs. Chief Commercial Superintendent, as per the said judgment Commercial Railways are workmen as defined in I.D. Act. The learned counsel for the petitioner has submitted development officers who are whole time employees of corporation are discharging no control over agents and are not subordinate to them, therefore the development officers are workmen, for which he replied upon a decision reported in 2001(1) FLR 1104 in the case between L.I.C of India Vs. Industrial Tribunal of Kerala High Court.

19. Against which the learned counsel for the respondent has submitted at length that in S. K. Varma Vs. Mahesh Chandra reported in 1983 SSC 510, the Hon'ble S. C. held that the Development Officer of LIC was workman as defined U/s 2-s of the I.D. Act were workman within the meaning of Sec. 2-s of I.D. Act, had been held to be per incuriam in H. R. Adyanthaya Vs. Sandoz (India) Ltd., and submitted that the judgment in S. K. Varma to the affect that the development officer was a workman was not judicial precedent required to be followed. She has further submitted that what are the nature of work to be taken into consideration for determining the employee as a workman and argued at length by referring the S. C. judgment in Sandoz (India) Ltd., which is reported in 1994 AIR S. C. C. 5 737. The learned counsel for the respondent has further submitted that a person to be workman must be employed to do the work of any of the categories viz: manual, unskilled, skilled, technical, operational, clerical, and supervisory for high or reward and the same must be established even if a person does not perform managerial or supervisory duties. And further submitted that the onus was on the workman to prove that he is a workman and the duties and obligations of the development officer of the corporation by no stretch of imagination can be held to be performed by an apprentice and in such a case the development officer cannot be said as a workman and she further submitted that to raise a contention of his status to a workman he must plead and prove the requisite facts and in absence of any such pleading or proof that either by novation of contract or by reason of conduct of the parties such a change has been brought about, for which she relied upon a decision 2004 8 S. C. cases 387 in the case between Mukesh K. Tripathi appellant Vs. Sr. Divisional Manager, LIC and others. She has further submitted about the requirements of the workman U/s 2-s by relying upon the decision reported in 2005 3 SCC 232 in the case between Sonapat Cooperative Sugar Mills Ltd., Appelants Vs. Ajith Singh.

20. The learned counsel for the respondent further submitted that he colluded with the policyholders and created loss to the respondent corporation, when there is loss of confidence on the petitioner the termination is proper and valid for which she relied upon a decision reported in 2007 (T.L.S) 137468 in the case between Muralidharan K. Vs. management of M/s Circle Fright INTL. (India) P. Ltd.,

21. Originally an Award was passed in this matter vide order dt. 18-1-1996, against which the petitioner herein filed a Writ Petition wherein the Hon'ble High Court observed that the tribunal has failed to analyze and examine the evidence on record and assign reasons in support of his conclusion that the petitioner is not a workman U/s 2-s of the I.D. Act and the conclusion of the Tribunal more so when it relates to jurisdictional issue whether the petitioner is a workman or not within meaning of Sec. 2-s of the I.D. Act must be based on reasons and since the Award of Industrial Dispute bereft of reasons in support of its conclusion that the petitioner was not a workman within the meaning of Sec. 2-s of I.D. Act. The Award must be passed by the Tribunal. According the Award was passed mainly on the ground this Tribunal has failed to assign reason that the petitioner is not a workman within the meaning of Sec. 2-s of the I.D. Act and reminded back for fresh consideration.

22. For the purpose of filing application U/s 2-A of the I.D. Act the petitioner has to establish that he is a workman U/s 2-s of the I.D. Act when he failed to establish that he is a workman he is not entitled for the relief as a workman, wherein an employee has multifarious duties and the question raised whether he is a workman or someone other than workman the Court must find out what are the primary and basic duties of the person concerned and if he incidentally asked to do some other work may not be necessarily in tune with the basic duties. These additional duties cannot be changed the duties of the person the dominant purpose of employment must be taken into consideration and the class of duties must be rejected while determining the status and character of the person. The definition of the workman clearly shows that the person concerned would ceases to be workman if he perform some other supervisory duties, but he must be a person who must be engaged in supervisory cadre as mentioned in the decision reported in 2005 3 SCs 232 in the case between Sonapat Cooperative Sugars Vs. Ajith Singh, as per the said judgment a person who performed one job mentioned in provision of Sec. 2-s of the I.D. Act only would come within the purview of the workman. The workman must establish that he employed in the respondent as contemplated in Sec. 2-s of the I.D. Act and to do the work of any of the categories mentioned therein and the same must be established even if a person does not mention managerial or supervisory functions and it is not enough that he is covered by any of the exemptions. The question is whether employee is a workman with a reference to nature of duty and to be determined with nature and facts of circumstances of each case on the basis of circumstances and facts and material on record. When an employee is doing types of works enumerated in Sec. 2-s of the I.D. Act. There is hardly difference in treating the workman but in a large number of employees have to do more than one kind of work in such case it becomes necessary to determine under which classification the employee will fall for the purpose of deciding whether he comes within the definition or not and the designation of the employee is not much important, which is important is nature of duties. The determine factor is main duty and not some work

incidentally done. But incidentally or for fraction of time does some manual work the employee should be held to be doing supervisory work, controversially, if the main work is manual, clerical, or of a technical nature, mere fact of supervisory or other work also performed by the employee incidentally or only for fraction of time devoted to some supervisory work the employee will come under the definition of 2-s of the I.D. Act, as per the settled Law.

23. When coming to the evidence of the petitioner it shows that he is a workman of the respondent/corporation. It is an admitted fact that he did not file the appointment order given to him which is a material document. On the other hand the respondent filed Ex.M-17 which is the appointment order. In this regard he stated the schedule contain the inspector function now attached to Ex.M-17 was not given to him along with appointment order. But there is no material to prove that. On the other hand he stated that he knows the duties and function of a development officer. As per the respondent the duties and functions of the Inspector are as per the schedule-A attached to Ex.M-17 was not given to him along with appointment order. But there is no material to prove that. On the other hand he stated that he knows the duties and function of a development officer. As per the respondent the duties and functions of the Inspector are as per the scheduled-A attached to Ex. M-17 was not given to him along with appointment order. But he specially stated that he knows the duties and functions of the Inspector. He stated that Inspector designation was re-designated as Development Officer in 1987. His evidence mainly shows that the Inspector does not give instructions to the Agent, but his admission is very clear that he agreed that clause 8 (a) (1) of the appointment order reads that an Inspector can recruit, train and control the agents working under him. On the other hand he stated that he do not supervise the work of agents. But it is very clear as per sub clause E in clause 8 in his appointment order reads that it is his duty to see the proper service rendered by him and by the agents working under him to the policyholders and concerned parties. As per Ex.M-18 notification of the Ministry of Finance it is very clear that is scheme of the insurance business further amended the general insurance rationalization of a pay scale and other conditions of services of the stag scheme 1976, which shall apply to all development officers who are in whole time employment in the company. As per the said notification under clause 9 (a) Development Officer means member of the development staff, who immediately commencement of scheme 1987 were categorized or appointed as Inspector Gr-1 and Inspector Gr-II and on such commencement designated respectively as a Development Officer Gr-1 and Development Officer Gr-II, which shows that they are officer category and having particular pay scale as mentioned therein. Apart from that he has to introduce six new successful agents in a year as per clause 8 of the appointment order.

24. M.W-1 evidence is also clear that the petitioner worked as Development Officer. M.W-2 also categorically stated that Development Officers are governed by General Insurance rationalization scheme and other development officers' scheme 1976. And it is prove that the petitioner appointment was also as per the above said scheme and their functions are to recommend and recruitment of agents, assist them and trained them and coordinate procurement

of general business. It is also clear that Development Officer Function is that they have to procure general insurance business and service them in their area of business. And they are supposed to keep a dairy regarding business and produce it as and when called. He gave specific evidence with regard to functions which is not within any clerical work. It is also clear from M.W-2 that Development Officer are not assigned with any clerical work and they have separate supervisory work for their organization and they governed by their scheme. He also gave about the particulars of the salary of the Sr. Development Officer. As per his evidence agents are routed through Development Officers and get commission for the business and the Development Officer get business procured by the agents under him. As per M.W-3 evidence with reference to Ex.M-17 and Ex.M-18 notification and stated about the functions of the Development Officer. M.W-4 also gave evidence that the petitioner joined the service of the petitioner on 20-2-1980 and his services were confirmed about one year later and he was provided Motorcycle. Nothing was elicited from the evidence of the respondent to show anything that his work is manual, unskilled, skilled, and technical, operational, clerical or supervisory work covered U/s 2-s of the I.D. Act. The work of the petitioner cannot be manual, unskilled, skilled, and technical, operational, clerical or supervisory work. His work involves recruitment, training and controlling the agents to develop the insurance business to service, the business and other functions; and nothing on record to show that he was a workman within the meaning of Sec. 2-s of the Industrial Disputes Act. And nothing was elicited from the respondent side evidence to show anything that he was a workman, and the evidence of the petitioner is not sufficient to show that he was a workman within the meaning of Sec. 2-s of the I.D. Act, as such this Tribunal has no jurisdiction.

25. With regard to the second point that is whether the respondent was justified in removing the petitioner from service is concerned the respondent mainly alleged under Ex.M-1 charge sheet while the petitioner was doing as Inspector at Pedanandipadu during 1984 he abused his position by colluding with private parties that is M/s Sekala Veera Badraiah company and Pedanandipadu cotton company and others in antedating dated 8 cover notes to an extend of 82.50 lakhs for uninsured property kept in the joint premises of M/s Sekala Veera Badraiah company and M/s Pedanandipadu cotton press in the fire accident dt. 15-8-1984 and facilitating them in performing heavy undue claim to the said claim as detailed in the statement of imputation of misconduct mainly on the ground he exhibited lack of integrity and conduct and committed a grave misconduct. For which he submitted an explanation under Ex.W-6 to Ex.M-1. The respondent side marked Ex.M-10 which is the domestic enquiry in which the enquiry officer submitted report, thereafter the disciplinary authority removed the petitioner from service and his appeal was also dismissed under Ex.M-16.

26. It is an admitted that the petitioner was son in law of M/s Sekala Veera Badraiah and appointed on behalf of

the respondent company and his address was also given as C/o Sekala Veera Badraiah which clearly established the relationship between the petitioner and the main insurance policyholder.

27. There was a fire accident in ginning mill and both the mills were insured even before 14-8-1984 as exhibited by M.W-3 and for about and core of rupee and odd mentioned in Ex. M-16 report of CBI.

28. In this regard the learned counsel for the respondent submitted that the petitioner created false policies and defrauded the respondent corporation, even though he is having relationship with the main policyholder. There is no bar to obtain a policy in the name of their kith and kin or in the name of anyone of his relatives. Naturally most of the friends and relatives will come forward to pay subscription of policies either on his request or voluntarily. It is a general trend in the policyholders to take policies through their known persons or relatives. Therefore the relationship is not a ground to take adverse view against the Development Officers; therefore it is not a ground to disallow the claim of the petitioner.

29. As seen from the material available on record it shows that there was a fire accident on 15-8-1984 in the premises of the main policyholder. The mills as well as cotton press was insured even before 14-8-1984 for Rs. 50 lakhs. Therefore it is not the first time that the petitioner obtained policy for heavy amount. The material available on record it shows that the petitioner informed the then General Manager M.W-3 about the fire accident who visited alongwith fire surveyor and he informed the issue 8 cover noted on 14-8-1984 for about 82 lakhs. The petitioner version is that the duplicate cover notes along with 6 cheques 14-8-1984 to the Branch Office, Guntur and he sent 2 more duplicate copy of cover notes on 16-8-1984. As a party gave cash on the evening of 14-8-1984 after bank hours and 15-8-1984 being holiday in connection with Independence Day. It is also clear that the respondent encashed them and issued receipt without prejudice to them as contended by them. They respondent suspected the conduct of the petitioner. They suspended the petitioner and gave a report to the CBI, who enquired into the matter and submitted Ex. M-36 report. The respondent did not honour the claim of the policyholders, but it is an admitted fact that the Civil Court decreed the suit against the respondent except one matter and the respondent preferred an appeal in the High Court under Ex.W-7 to Ex.W-9 and Ex. M-37 to Ex. M-43. They are judgments and decrees and stay orders of the Hon'ble High Court. The material available on record shows that the petitioner first issued cover notes for heavy amount of Rs. 82 lakhs. The respondent version is that the petitioner did not inform on phone on 14-8-1984 about the issuance of cover notes. And material further shows that he booked a call on the date of cover notes on 14-8-1984 and it was not matured. He gave a detailed explanation about the policy notes and he handed over the original cover notes and posted immediately on 14-8-1984 but the fire accident was took place on 15-8-1984. He would have been sent a telegram to the respondent but he failed to send it except booking of

telephone call to the respondent but he did not fructify and he did not talk to the respondent company. The material shows that he previously he did the same but the respondent has not questioned him. It is not the first time of issuing cover notes but he also issued earlier also and sends the duplicate cover notes and cheques for the premium to the branch office. Earlier he issued cover notes for maximum amount of Rs.70,000 which is not disproved by the respondent. Under these circumstances it cannot said that the conduct of the petitioner is doubtful. There is no evidence from the respondent side that the petitioner prepared cover notes subsequent to the accident. The evidence of the respondent is not sufficient to disbelieve the petitioner version. There are suspicious circumstances connecting to the second point but in this matter previously also the petitioner put up cover notes even for huge amounts the respondent also encashed D.Ds and cheques, however subject to with out prejudice to their rights. But in the present matter the policyholders filed a suit against the respondent and obtained decree, in their favour which is connecting to cover notes in this matter. Apart from that the matter is pending in the appellate Courts.

30. Upon persuing all the documents and evidence I did not find any point in favour of the petitioner with regard to the removal of the petitioner from service though this Court has no jurisdiction. It is necessary to answer the point that whether the petitioner is/is not a workman within the meaning of Sec. 2-s of the I.D. Act, in view of the reference and direction given by the Hon'ble High Court. Moreover it is necessary to answer all the points relevant to the reference.

31. Upon persuing the circumstances in this matter the action of the management of the Oriental Insurance company removing the petitioner from service is not justified, but he is not entitled to the relief as he is not a workman within the ambit of Sec. 2-s of the Industrial Disputes Act 1947.

32. In the result Award is passed by holding that the action of the management of Oriental Insurance Company Ltd., in removing the petitioner Sri K. Hanumanthu Rao, Ex-Inspector from service is not justified. But he is not entitled for reinstatement as the reference is not maintainable since the petitioner is not a workman within the ambit of Sec. 2-s of the Industrial Disputes Act. No costs.

Dictated to the Stenographer, typed by her on Computer, corrected and pronounced by me, in the open court, on 20th day of September 2007.

G. CHAK RADHARA RAO, Chairman (FAC)

ID 13/93

Appendix of evidence

Witness examined for the Petitioner

WWI. Koteswara Rao

Witness examined for the Respondent

MW. 1 BRC Prasad
MW. 2 N. Chandra Mohan
MW. 3 G. Rama Rao
MW. 4 T. Tira Paiah
MW. 5 Umesh.

Document Marked for the Petitioner					
Ex W1	29-2-88	Copy of the Representation given by the Workman to the enquiry officer.	Ex M13	26-5-90	Enquiry report submitted by BRC Prasad E.O.
Ex W2	3-3-90	Copy of the Representation given by the Workman to the enquiry officer.	Ex M14	26-5-90	Letter enclosing the enquiry Proceedings for delinquent workman.
Ex W3	6-3-90	Letter from The enquiry officer to Sri. K. Hanumanth Rao. Devl. officer (undersuspension) Comp. Vijayawada.	Ex M15	28-4-91	Appeal of Sri K. Hanumantha Rao ex- Development Officer Branch-I, Guntur Submitted to the Asst. GM per Department, Oriental Insurance Co.
Ex W4	12-3-90	Copy of the Representation given by the Petitioner to the enquiry officer.	Ex M16	27-9-91	Order of the Asst. Genl. Manager & Competent Disciplinary Authority Passed against K. Hanumantha Rao.
Ex W5	12-3-90	Statement of fire Insurance for the year 1980 (Feb 20th to December)	Ex M17	4-2-80	Appointment order Issued to K. Hanumantha Rao
Ex W6	22-1-87	Reply submitted by WW1 to the Regional Manager Oriental Insurance Co. Ltd.	Ex M18	13-2-87	Notification issued by the Ministry of Finance Dept & Economic affairs.
Ex W7	30-3-95	Xerox Copy of the order copy in O.S. No.4-14/87 in the Court of Addl. Subordinate Judge Guntur.	Ex M19	16-10-76	Circular Issued to Inspectors and Agents regarding issue of Cover notes.
Ex W8	19-7-93	Order Copy in O.S No 27/88 of the Principal Subordinate Judge Guntur.	Ex M20	16-10-76	General Insurance Rationalisation of Pay scales and other Conditions of Service of Development Staff Scheme 1976.
Ex W9	27-4-95	Copy of the O.S No. 537/89 dated 27-4-95.	Ex M21	14-8-84	Cover note No. 91009 Covering the Cotton Kappasunit Cotton seed and fully pressed Cotton bales belongs to Sri Skala Veerabhadraiah and Cost for Rs. 15 lakhs.
Documents Marked for the Respondent			Ex M22	14-8-84	Telegram issued by Skala Veerabhadraiah on 16-8-84 regarding the occurrence of the fire accident to the building and stocks.
Ex M1	26-11-86	Letter addressed to Sri K. Hanumatha Rao by the Regl Manager, enclosing the articles of charges—levell against for K. Hanumanth Rao.	Ex M23	14-8-84	Cover note of Insurance Co. Regarding Sree Lakshmi Cotton Traders Pedanandipadu for 14-8-84 to 16-10-84
Ex M2	22-1-87	Representation submitted to the Regional Manager oriental Insurance Co. Ltd by K. Hanumantha Rao.	Ex M24	14-8-84	Cover Note
Ex M3	22-6-87	Order of appointment of enquiry officer appainting Sri. P. Umesh Branch Manager CBC-I, Hyd. as E.C.	Ex M25	14-8-84	Cover Note
Ex M4	28-10-88	Order of appainting Sri B.R.C. Prasad Asst. Manager Hyderabad as enquiry officer.	Ex M26	14-8-84	Cover note insured in this cover note in Bank of Baroda on A/c of Sakala Veerabhadraiah and Co. for the Period from 14-8-84 to 14-9-85 for 50 lakhs.
Ex M5	1-5-89	Order of appainting of Sri C.B. Rao Inspector CBI as enquiry officer	Ex M27	14-8-84	Cover note the insured party is stock of Harion Krishna Traders, Abbinanguntala Padulying in the Premises of M/s S.Veerabhadraiah & Co. paid insurance from 14-8-84 to 14-9-84 for 1 lakh 50 thousand.
Ex M6	29-2-88	List of address Submitted by K. Hanumantha Rao in the domestic enquiry.	Ex M28	14-8-84	Cover note insured in this cover note to M/s Tirumala Cotton Trading Co. Pedanandipadu for the period from 14-8-84 to 14-10-84 for sum insured Rs.7 lakh
Ex M7	3-3-90	Letter addressed by Sri K. Hanumantha Rao to the enquiry officer, BRC Prasad	Ex M29	14-8-84	Cover Note insured in this cover note is M/s. Srinivasa Cotton Traders Pedanandi Padu for a sum of Rs 1.50 lakhs for the period from 14-8-84 to 14-10-84.
Ex M8	6-3-90	-do-			
Ex M9	12-3-90	List of witness Submitted by K. hanumantha Rao to the domestic enquiry.			
Ex M10	12-3-90	Proceedings of the domestic enquiry.			
Ex M11	4-5-90	Enquiry officer letter forwarding Prosecution brief in RC 12/65-VSP against K.Hanumantha Rao.			
Ex M12	26-5-90	Letter from K. Hanumantha Rao BRC Prasad enquiry officer forwarding of defence brief of COA in RC 12/85 in domestic enquiry.			

Ex M29(A)	Duplicate xerox copy of Ex M 29
Ex M30	Policy bearing No 91061
Ex M31	Policy bearing No 91008
Ex M32	Telegram issued by the Petitioner dt.31-3-84.
Ex M33	-do-
Ex M34	-do-
Ex M35	Telegram issued on 16-8-84.
Ex M36	CBI Enquiry report.
Ex M37 7-8-95	Xerox copy of interim suspension order CMP No 10844 of 1995 of the Hon'ble High Court of DP.
Ex M38 9-2-84	Xerox copy of the order in CMP No 1560/94 in A.S. No 95/94 of the Hon'ble High Court.
Ex M39 1-9-95	Order copy in CMP No 11114/95 in A.S. No 936/95 and order of the Hon'ble High Court.
Ex M40 17-1-96	Xerox copy of the Hon'ble Supreme Court on SCA Co/ML. No 737-739/96.
Ex M41 25-1-96	Xerox copy of the order SLP No. (civil) No. 737-739/96 of Hon'ble Supreme Court.
Ex M42 25-2-84	Order copy in O.S. No. 18/91 of III Addl. District Judge Guntur.
Ex M43 25-2-84	Descreed order in O.S. No. 18/91 of III Addl. District Judge Gunter.
Ex M44 25-2-84	Conduct Discipline and Appeal Rules of General Insurance 1975.

After remand

-Nil-

नई दिल्ली, 11 अक्टूबर, 2007

का.आ. 3232.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में. बी. सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण 11, धनबाद के पंचाट (संदर्भ संख्या 74/2005/1) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-10-07 को प्राप्त हुआ था।

[सं. एल-20012/14/2005-आई.आर. (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 11th October, 2007

S.O. 3232.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 74/2005/1) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL, and their workmen, received by the Central Government on 11-10-2007.

[No. L-20012/14/2005-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No.2) AT DHANBAD.****PRESENT****Shri Nagendra Kumar, Presiding Officer.**

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act., 1947.

REFERENCE NO-74 OF 2005**PARTIES**

Employer in relation to the management of BCCL's Block-II Area and their workman.

APPEARANCES

On behalf of the workman	:	None
On behalf of the employers	:	Mr. D.K. Verma, Advocate.
State : Jharkhand		Industry : Coal.

Dated, Dhanbad, the 27th Sept., 2007.

AWARD

The Government of India, Ministry of Labour & Employment, in exercise of the powers conferred on them under Section 10(1) (d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No.L-20012/14/2005-IR (C-1) dated, the 21st July, 2005.

SCHEDULE

"Whether the demand of the Rashtriya Colliery Mazdoor Congress from the management of BCCL Block-II area that Sh. Birendra Rajak may be regularised as Tyndal in Cat. IV w.e.f. 1-8-98 and promoted in Cat-V w.e.f. 1-8-2002 is justified? If so, to what relief is the workman entitled?"

2. In this case neither the concerned workman nor his representative appeared before this Tribunal. Management side, however, made appearance through their authorised representative. It transpires from the record that registered notices and show cause notice were issued consecutively to the concerned workman/sponsoring union. In terms of rule 10B of the I.D. Central Rules, 1957 it is mandatory on the part of the concerned workman/sponsoring union to file statement of claim, list of reliance, documents evidence etc. before the Tribunal within 15 days from the date of receipt of the order of reference. The concerned workman/sponsoring union not only violated the above rules but also even did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of this case. Under such circumstances, this Tribunal finds no ground to adjourn the case suo moto for months together. Hence, the case is closed and a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

NAGENDRA KUMAR, Presiding Officer

नई दिल्ली, 11 अक्टूबर, 2007

का.आ. 3233.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II धनबाद के पंचाट (संदर्भ संख्या 76/2005/4) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-10-2007 को प्राप्त हुआ था।

[सं. एल-20012/34/2005-आई.आर.(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 11th October, 2007

S.O. 3233.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 76/2005/4) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/S B C C L and their workman, which was received by the Central Government on 11-10-2007.

[No. L-20012/34/2005-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No-2) AT DHANBAD PRESENT

Shri Nagendra Kumar,
Presiding Officer

In the matter of an Industrial Dispute under Section 10(1) (d) of the I. D. Act., 1947.

Reference No. 76 of 2005

Parties

Employers in relation to the management
of M/s. BCCL's Katras Area and their workman.

Appearances

On behalf of the workman : None
On behalf of the employees : Mr. D. K. Verma,
Advocate.

State : Jharkhand Industry : Coal.

Dated, Dhandab, the 27th Sept., 2007.

AWARD

The Government of India, Ministry of Labour & Employment, in exercise of the powers conferred on them under Section 10(I) (d) of the I. D. Act., 1947 has referred the following dispute to this Tribunal for adjudication *vide*

their order No. L-20012/34/2005-IR (C-1) dated, the 26th July, 2005.

SCHEDULE

"Whether the action of the management of Ram Kanali Colliery of M/s. BCCL in dismission Sri Ram Ratan Das from the services of the company *vide* order dated 15/16.8.2004 is fair and justified? If not, to what relief is the concerned workman entitled?"

2. In this case neither the concerned workman nor his representative appeared before this Tribunal. Management side, however, made appearance through their authorised representative. It transpires from the record that registered notices and show cause notice were issued consecutively to the concerned workman/sponsoring union. In terms of Rule 10B of the I. D. Central Rules, 1957 it is mandatory on the part of the concerned workman/sponsoring union to file Statement of claim., list of reliance, documents evidence etc. before the Tribunal within 15 days from the date of receipt of the order of reference. The concerned workman/sponsoring union not only violated the above rules but also even did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of this case.

Under such circumstances, this Tribunal finds no ground to adjourn the case *suo moto* for months together. Hence, the case is closed and a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

NAGENDRA KUMAR, Presiding Officer

नई दिल्ली, 11 अक्टूबर, 2007

का.आ. 3234.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 86/2005/3) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-10-2007 को प्राप्त हुआ था।

[सं. एल-20012/72/2005-आई.आर.(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 11th October, 2007

S.O. 3234.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 86/2005/3) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/S B C C L and their workman, which was received by the Central Government on 11-10-2007.

[No. L-20012/72/2005-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (No-2)
AT DHANBAD
PRESENT**

**Shri Nagendra Kumar,
Presiding Officer.**

In the matter of an Industrial Dispute under Section 10(1)
(d) of the I. D. Act., 1947.

Reference No. 86 of 2005

Parties

Employers in relation to the management
of Hurriladih Colliery of M/s. BCCL's and their workman.

Appearances

On behalf of the workman : None
On behalf of the employers : Mr. D. K. Verma,
Advocate.

State : Jharkhand Industry : Coal.

Dated, Dhandab, the 27th Sept., 2007

AWARD

The Government of India, Ministry of Labour & Employment, in exercise of the powers conferred on them under Section 10(1) (d) of the I. D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their order No. L-20012/72/2005-IR (C-1) dated, the 13th September, 2005.

SCHEDULE

"Whether the action of the management of Hurriladih Colliery of M/s. BCCL in dismissing Sri Sunil Lal Bouri, M/Loader from the services w.e.f. 9-11-98 is justified? If not, to what relief is the concerned workman entitled?"

2. In this case neither the concerned workman nor his representative appeared before this Tribunal. Management side, however, made appearance through their authorised representative. It transpires from the record that registered notices and show cause notice were issued consecutively to the concerned workman/sponsoring union. In terms of Rule 10B of the I. D. Central Rules, 1957 it is mandatory on the part of the concerned workman/sponsoring union to file Statement of claim., list of reliance, documents evidence etc. before the Tribunal within 15 days from the date of receipt of the order of reference. The concerned workman/sponsoring union not only violated the above rules but also even did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of this case.

Under such circumstances, this Tribunal finds no ground to adjourn the case suo moto for months together. Hence, the case is closed and a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

NAGENDRA KUMAR, Presiding Officer.

नई दिल्ली, 11 अक्टूबर, 2007

का.आ. 3235.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वेस्टर्न रेलवे, अजमेर के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण अजमेर के पंचाट (संदर्भ संख्या 09/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-10-2007 को प्राप्त हुआ था।

[सं. एल-41012/93/1997-आई.आर. (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 11th October, 2007

S.O. 3235.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 09/1998) of Industrial Tribunal cum Labour Court, Ajmer as shown in the Annexure in the Industrial Dispute between the management of Western Railway Ajmer, and their workman, received by the Central Government on 11-10-2007.

[No. L-41012/93/1997-IR (B-1)]

AJAY KUMAR, Desk Officer

उपाबंध

(न्यायालय श्रम एवं औद्योगिक न्यायाधिकरण, अजमेर
राज.

पीठासीन अधिकारी : श्री आर. एस. मीणा, आरएचजेएस
प्रकरण संख्या-सी. आई. टी. आर. 09/98)

रेफरेंस नं. एल-41012/93/97 आई. डी. (बी.-1)
दिनांक 17-3-98

केन्द्रीय सहायक सचिव, आल इंडिया शिडयूल कास्ट एवं शिडयूल
ट्राईब रेलवे एंप्लॉईज एसोसिएशन 2018, हजारी बाग, अजमेर

प्रार्थी

बनाम

मंडल रेल प्रबंधक, पश्चिम रेलवे, अजमेर

अप्रार्थी

उपस्थित : श्री चंदनसिंह, अधिवक्ता, प्रार्थी।

: श्री कृष्णावतार, अधिवक्ता, अप्रार्थी।

दिनांक 24-9-2007

अवार्ड

केंद्र सरकार द्वारा प्रेषित विवाद निम्न प्रकार है:-

"क्या मंडल रेलवे प्रबंधक, पश्चिम रेलवे अजमेर के द्वारा श्री मोहनलाल पुत्र श्री मांगीलाल को दिनांक 29-5-84 से 28-5-89 तक बेलदार के पद पर वरिष्ठता न दिया जाना सही है?"

यदि नहीं तो श्रमिक किस राहत का अधिकारी है?"

नोटिस के उपरांत उभयपक्ष उपस्थित आए। प्रार्थी मोहनलाल ने अपने स्टेटमेंट ऑफ क्लेम में अंकित किया है कि उसके पक्ष में अवार्ड पारित किया जाकर क्लेम के पैरा सं. 3 में वर्णित राशि रु. 3,23,45 दिलवाये जावे क्योंकि वर्ष 1983 से गैंगमैन के पद पर कार्यरत था उसे बी-1 कैटेगरी के लिए मैडिकल के लिए भेजा व दिनांक 29-5-84 को अवैध रूप से सेवा पृथक कर दिया विवाद उठाने पर सी-3 में मैडिकल करवाकर दिनांक 28-8-89 से बेलदार के पद पर सेवारत है। उक्त अवैधानिकता के कारण साथ वाले

कर्मचारी वरिष्ठ हो गए व वेतन लाभ भी उक्त अवधि (29-6-84 से 28-8-89) तक का नहीं मिलने के लिए अप्राथी को उत्तरदायी होना अंकित किया है। क्लेम के पैरा नं. 3 में प्राथी को हुई हानि व पदोन्नति अंतर की राशि आदि मय ब्याज 2,23,045/- रुपए व 158 एल.ए.पी. 104 एच.ए.पी. तथा 72 सी.एल.पी. प्राप्त करने का अधिकारी अंकित किया है वो अप्राथी द्वारा नहीं किया गया है।

जवाब में अप्राथी द्वारा अंकित किया गया है कि प्राथी न तो वरिष्ठता व न ही अन्य परिलाभ प्राप्त करने का अधिकारी है इसलिए प्राथी का कथन मय खर्चे खारिज किया जावे क्योंकि प्राथी 1983 में एवजी गैंगमैन के पद पर कार्यरत था जिसका निर्धारित मेडिकल कराया व प्राथी फेल हो गया वर्ष 1984 में अनु. जाति/जनजाति के कोटे में कोई डेफिशियेंसी मूल इकाई में नहीं होने से उसे निम्न श्रेणी में मेडिकल नहीं कराया जा सकता था इसलिए दिनांक 3-6-85 को नियमानुसार रिट्रैच कर दिया था। आगे अंकित किया है कि वर्ष 1989 में आरक्षण डेफिशियेंसी में प्राथी को सी-1 मेडिकल श्रेणी में मेडिकल कराया पास होने पर एवज में दिनांक 30-8-89 को कार्य पर रखना बताया है। जब प्राथी फेल को गया तो उसे कैटेगरी कर्मचारी के साथ वरीयता देने का प्रश्न ही नहीं उठना बताया है और न ही बी-1 कैटेगरी से सी-1 कैटेगरी में मेडिकल श्रेणी में पास होने की अवधि को वैधानिक प्रक्रिया के कारण स्वयं का उत्तरदायी नहीं होना अंकित किया है। इसलिए विवादित अवधि का लाभ प्राथी को प्राप्त होने का अधिकारी नहीं बताया है, जिसके लिए अप्राथीगण उत्तरदायी नहीं होना अंकित किया है। अतः में प्राथी को किसी भी प्रकार का वेतन लाभ रुपए 3,23,045/- प्राप्त होने का व उक्त अवधि के अर्जित अवकाश, अर्द्धवेतन आदि का भी अधिकारी नहीं होना अंकित किया है प्राथी के कथनों को अस्वीकार करते हुए इस रेफरेंस में अनुतोष पाने का अधिकारी होना अंकित किया है।

प्राथी पक्ष ने अपने मौखिक साक्ष्य में स्वयं मोहनलाल का शपथ पत्र प्रस्तुत कर प्रतिपरीक्षण करवाया। प्रलेखीय साक्ष्य में प्रदर्श डब-1 लगायत 2 दस्तावेजों की प्रतियां प्रदर्शित करवाकर प्रस्तुत की हैं। अप्राथी पक्ष ने मौखिक साक्ष्य में श्री सुरेश रंगा (व. लि.) का शपथ पत्र प्रस्तुत कर प्रतिपरीक्षण करवाया है प्रलेखीय साक्ष्य में प्रदर्श एम-1 लगायत 3 दस्तावेजों की प्रतियां प्रदर्शित करवाकर प्रस्तुत की हैं।

उभयपक्ष की बहस सुनी, पत्रावली का गंभीरतापूर्वक अवलोकन किया। विद्वान प्रतिनिधि प्राथी का तर्क है कि प्राथी की नियुक्ति वर्ष 1983 में गैंगमैन के पद पर हुई थी और दिनांक 29-5-1984 को अप्राथी को अवैधानिक रूप से सेवा से पृथक कर दिया। श्रमिक का मेडिकल कराकर दिनांक 8-8-89 को पुनः बेलदार के पद पर उसकी नियुक्ति की गई है। इस सेवा पृथकरण से प्राथी अपने साथियों से जूनियर हो गया और उसे लगभग 3,23,045/- रुपए का आर्थिक नुकसान हुआ है इसलिए यह सम्पूर्ण राशि क्लेम मंजूर कर दिलाए जाने का निवेदन किया है।

विद्वान प्रतिनिधि अप्राथी का तर्क है कि प्राथी ने इस रेफरेंस के समर्थन में क्लेम प्रस्तुत नहीं किया है बल्कि औद्योगिक विवाद अधि. की धारा 33सी (2) के तहत केस पेश किया है, जो रेफरेंस के प्रतिकूल होने के कारण प्रथम दृष्टया ही खारिज किए जाने योग्य है। उनका यह भी तर्क है कि प्राथी मेडिकल में फेल हो गया था इसलिए उसे बी कैटेगरी दिया जाना संभव नहीं था और अनुसूचित जन जाति में डेफिशियेंसी नहीं होने के कारण सेवायुक्त किया गया पुनः प्राथी को सी-1 मेडिकल में पास होने पर काम पर रख लिया गया। वर्ष 1984 से 1989 तक रेलवे में काम नहीं किया है इसलिए वह कोई भी राशि

क्लेम करने का अधिकारी नहीं है। प्राथी के साथ कोई अवैधानिक कार्य नहीं किया है, इसलिए कोई भी लाभ पाने का अधिकारी नहीं है।

हमने उभयपक्ष के तर्क सुने, पत्रावली का गंभीरतापूर्वक अवलोकन किया प्राथी स्टेटमेंट ऑफ क्लेम को देखते ही प्रथम दृष्टया यह प्रतीत होता है कि यह क्लेम रेफरेंस के समर्थन में कम तथा भारतीय औद्योगिक विवाद अधि. की धारा 33 सी (2) के तहत अधिक पेश किया गया है और इसी के समर्थन में बहस व साक्ष्य प्रस्तुत की गई है। जबकि हमारे समक्ष रेफरेंस यह है कि प्राथी को दिनांक 29-5-84 से 28-5-89 तक बेलदार के पद पर वरिष्ठता नहीं दिया जाना सही है या नहीं? यदि नहीं तो श्रमिक किस राहत का अधिकारी है? प्राथी श्रमिक ने अपने मुख्य परीक्षण के चरण सं. 1 में यह स्वीकार किया है कि मैं वर्ष 1983 में रेलवे में गैंगमैन के पद पर कार्यरत था तथा मुझे बी-1 मेडिकल हेतु भेजा जिसमें फेल होने पर मुझे सी/1 या सी/2 का मेडिकल कराकर नौकरी में रखना था। प्रतिपरीक्षण में प्राथी ने यह स्वीकार किया है कि वर्ष 1983 में एवजी गैंगमैन के पद पर काम कर रहा था। आगे पूछे जाने पर यह स्वीकार किया है कि वह मेडिकल में फेल हुआ था और यह भी स्वीकार किया है कि वह एस.सी.कोटे में है और प्राथी से यह पूछा गया कि आप एस.सी. कोटे में होने के कारण आपका मेडिकल करावाया गया। आगे यह सही है तो उसने इस प्रश्न का उत्तर भी हां में दिया है। आगे पूछे जाने पर प्राथी ने अपनी जिरह में कथन किया है कि मेरा 89 में मेडिकल करावाया था मैंने सी/1 पासकर लिया था वह मेडिकल कैटेगरी होती है। यह सही है कि मैंने 30-8-89 को एवजी स्वरूप काम किया था। प्राथी से की गई इस जिरह से यह स्पष्ट हो जाता है कि प्राथी बी कैटेगरी के मेडिकल में फेल हो गया था और जैसा कि विपक्षी गवाह सुरेश रंगा ने मुख्य परीक्षण में कथन किया है कि 1984 में एस.टी. कोटे में कोई डेफिशियेंसी मूल इकाई में नहीं थी इसलिए उसका निम्न श्रेणी में मेडिकल नहीं कराया। यह कथन प्राथी की साक्ष्य से साबित हो जाता है अब प्राथी निर्धारित योग्यता या क्वालीफिकेशन पास करने में ही असफल रहा है तो हमारी विनम्र राय में उसे वरिष्ठता का लाभ नहीं दिए जाने का कृत्य अवैधानिक प्रतीत नहीं होता है। अतः उपरोक्त तथ्यों एवं परिस्थितियों में उपरोक्त विवेचनानुसार प्राथी अपना मामला सिद्ध कर पाने में असफल रहा है, अतः हमारी विनम्र राय में वह कोई राहत पाने का अधिकारी नहीं पाया जाता है।

आदेश

फलतः प्रस्तुत विवाद का उत्तर इस प्रकार से दिया जाता है कि मंडल रेलवे प्रबंधक, पश्चिम रेलवे अजमेर के द्वारा की श्री मोहनलाल व पुत्र श्री मांगीलाल को दिनांक 29-5-84 से 28-5-89 तक बेलदार के पद पर वरिष्ठता न दिया जाना सही है, अतः प्राथी श्रमिक मोहन लाल कोई राहत पाने का अधिकारी नहीं है।

आर. एस. मीणा, न्यायाधीश

नई दिल्ली, 12 अक्टूबर, 2007

का.आ. 3236.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कोनकन रेलवे गो. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलौर के पंचाट (संदर्भ संख्या 192/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-10-2007 को प्राप्त हुआ था।

[सं. एल-41012/168/1995-आई.आर.(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 12th October, 2007

S.O. 3236.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 192/1997) of Central Government Industrial Tribunal-cum-Labour Court Bangalore, as shown in the Annexure in the Industrial Dispute between the management of Konkan Railway Corporation Ltd., and their workmen, received by the Central Government on 12-10-2007.

[No. L-41012/168/1995-IR(B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT

“Shram Sadan”, G.G. Palya, Tumkur Road,

Yeshwantpur, Bangalore-560022

Dated : 4th October 2007

Present SHRI A.R. SIDDIQUI, Presiding Officer

C.R. No. 192/1997

I Party :

Sri Parameshwar Kansali,
Thammu Shetty Compound
Agatamelu, Surathakal,
Bangalore-574158

II Party

The Chief Engineer,
Konkan Railway Corporation Ltd.,
Hebbbar Bldg, Kadiyali, Kunjibettu,
UDUPI-576102

Apparneces

I Party : Shri J. Ravindra Naik, Advocate

II Party : Shri P.P. Hegde,
Advocate

AWARD

1. The Central Government by exercising the powers conferred by Clause (d) of sub-section (1) and sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L 41012/168/95-IR(B.I) dated 29-01-1997/05-02-1997 for adjudication on the following schedule:

SCHEDULE

“Whether the action of the management of Konkan Railway Corporation Limited in terminating the service of Sri Parameshwar Kansali is justified? If not, to what relief the workmen is entitled?”

2. The case of the first party workman as made out in the claim statement, in brief, is that while he was working as Gangman under the Southern Railways, there was a

formation of Konkan Railway Corporation and an option was given to the Gangmen working under the Southern Railways to join Konkan Railway Corporation and he opted for the same. He obtained a service card from the Southern Railways and gave it to one Mr. Gangayya his co-worker who promised him to help to join the services of the Konkan Railways. He being accompanied by the said Gangayya produced the said service card with the office of the Konkan Railways. He did not know the contents of the service card being illiterate. He contended that the Chief Engineer, Konkan Railways Udupi by his letter dated 06-10-1994 removed him from service alleging impersonation for securing employment by manipulating the said service card belonging to one Mr. Charles Suvares. He contended that he was removed from service without any opportunity of hearing being given to him much less no notice or show cause notice issued to him or any enquiry having been conducted against him in the matter, and therefore the management violated the principles of natural justice in removing him from service; that on enquiry he came to know that the said Gangayya presently working in Southern Railway at Nanjangud held back his service card “and in its place submitted the labour service card of Mr. Charlie, therefore before he was removed from service, the management ought to have enquired with the Southern Railway authorities and not giving him opportunity of hearing the order removing him from service is illegal, arbitrary and unjust. He therefore requested the management by his letter dated 31-10-1994 to reinstate him into service with all consequential benefits. Therefore, he requested this tribunal to set aside the impugned punishment order and to reinstate him into service with all consequential benefits.

The management by its counter statement, while, not denying the fact that the Gangmen working under the Southern Railways who were retrenched were given an option to join the services of the Konkan Railways on the basis of the service card issued by the Southern Railways, however, contended that the first party produced a manipulated labour service card of one Mr. Charles by erasing his name on the card and putting his own name there on and thereby joined the services of the management in the year 1992 misrepresenting the facts. The management contended that a newspaper article appeared in a local Kannada Newspaper daily “Hosa Sanje” on 17-10-1984 mentioning that the first party obtained the job with Konkan Railways playing fraud by producing a manipulated casual labour service certificate which belonged to said Mr. Charles. There upon on the issuance of the notice and in the presence of the first party Domestic Enquiry was conducted in accordance with the principles of natural justice and on the basis of the statement given by the first party and on the basis of the finger print experts opinion and the report submitted on the basis of the Domestic Enquiry, he was rightly removed from service.

4. During the course of the trial, the management examined one K. Jayasimha and got marked nine documents at Ex M-1 to Ex M-9. MW 1 in his examination in chief while referring to the above said documents has just repeated the contentions taken by the management in its counter

statement. The first party on his part filed his affidavit evidence by way of examination in chief and reiterated the averments made by him in his claim statement. In his further examination in chief he got marked five documents at Ex W-1 to Ex. W-5.

5. The documents produced by the management are as under:

"Ex W-1: Letter of Confirmation dated 19-09-1992
Ex W-2: Office Order dated 25-09-1993
Ex W-3: Letter of Removal dated 06-10-1994
Ex W-4: Representation of I party dated 31-10-1994
Ex W-5: Reply Legal notice by 2nd Party dated 06-11-1994"

6. The documents marked for the first party are as under:

"Ex M-1: Officer Order dated 01-10-1992
Ex M-2: Casual Labourer Card of first party
Ex M-3: Affidavit of first party dated 23-09-1992
Ex M-4: Newspaper cutting of Hosa Sanje dated 17-09-1994
Ex M-5: Letter of Management dated 30-09-1994
Ex M-6: Finger print report dated 03-10-1994
Ex M-7: Note dated 05-10-1994
Ex M-8: Removal order dated 06-10-1994
Ex M-9: Enquiry Proceedings dated 28-09-1994"

7. I would like to come to the statements of MW I and first party in their cross-examination and the documents referred to supra as and when it is found relevant and necessary.

8. The facts undisputed, as noted above, are that on the formation of Konkan Railways, the retrenched workers of the Southern Railways were given option to join Konkan Railways and in the process the first party said to have produced the above said service card to show that he was working under the Southern Railways and it is on the basis of the said service card he along with other 15 casual labourers were appointed vide appointment order dated 1-10-1992 marked at Ex M-1. The fact that sometimes there after there was a news in the local newspaper to say that first party obtained the job fraudulently, the management appears to have conducted some Departmental Enquiry i.e., recorded the statement of the first party, obtained finger prints experts report with regard to the service card and on coming to know that it was the card manipulated, he was removed from service.

9. The learned counsels for the parties have submitted their written arguments and one of the main arguments advanced for the first party is that the impugned punishment order removing him from service on the ground that he committed misconduct of playing fraud upon the management in obtaining the job by producing a manipulated service card is illegal and unjustified for the reason that the management did not adhere to the principles of natural justice giving an opportunity of hearing to the first party workman or conducting any regular Domestic Enquiry against him by issuing a charge sheet for the alleged misconduct. Learned Counsel submitted that when the first party took up the contention that he had given his

service card to one Mr. Gangayya who in turn produced the card belonging to Mr. Charles back his own card and that he being illiterate man did not know the contents of the card, it was necessary on the part of the management to have conducted a full dress enquiry issuing a charge sheet and giving an opportunity to the first party workman to defend himself during the course of the enquiry. He contended that the Departmental Enquiry said to have been conducted by the management is farce of enquiry as that appears to have been conducted at the departmental level itself putting certain questions to the first party workman and then obtaining the so called the experts opinion with regard to the service card. He contended that, infact, in the so called statement of the first party said to have recorded by some of the officers of the Konkan Railways never disclosed that he admitted the guilt or that he was put any question by the officials as to whether he produced any manipulated card and obtained the job. Therefore he contended that when there was no proper Domestic Enquiry conducted giving opportunity to the first party and so called the statement of the first party did not reveal the fact that he was pleading guilty to the charge of misconduct merely basing upon the aforesaid experts opinion that too, without recording the statement of said expert, the so called report made against the first party vide Ex M-7 is illegal, unfair and unjust.

10. Whereas learned counsel for the management on the point of the Domestic Enquiry, in his arguments said that when the fraud was detected in the light of the news published in the newspaper and on going through the service card as well as on the basis of the experts opinion management was not obliged in such cases to once again conduct a regular and full dress Domestic Enquiry giving opportunity of hearing to the first party in as much as when his statement was recorded in an formal enquiry conducted at the office level. He contended that in such a case principles of natural justice cannot be invoked when I party obtained the employment by committing of fraud upon the management. To support his arguments learned counsel relied upon the decision of Hon'ble Supreme Court reported in AIR 1996 SC 689. Therefore in the background of the aforesaid pleadings and the arguments advanced by the respective parties as well as the oral and documentary evidence brought on record, the most important fact to be considered would be whether in the absence of a regular and full dress Domestic Enquiry conducted against the first party the impugned punishment order passed against him would be justified by the management or not. There can be no two opinion to say that the first party workman was thrown out of the service on the ground that he committed a misconduct of playing fraud upon the management in obtaining the employment by producing a manipulated and fabricated service card production of which was condition precedent in appointing the first party. Therefore, a question arises as to whether for such a misconduct alleged, the management was justified and competent under the law to get rid of the services of the first party without giving him an opportunity of hearing i.e., by conducting a regular Domestic Enquiry allowing him to participate in the enquiry and to defend himself. As

seen above there has been no notice, no memo, no show cause notice and no charge sheet alleging the misconduct was issued against the first party calling upon him to submit his explanation in the matter. It is said that having taken into consideration above said news in a local daily paper, the management took it upon itself to enquire into the matter at the office level and some of the officers of the management, then, questioned the first party putting certain questions in the matter and after having obtained the experts opinion about the manipulation of the service card submitted his report under the heading 'NOTE' at Ex M-7 giving out the aforesaid facts recommending the authority concerned to take appropriate action and it is on the basis of the said 'NOTE' the authority superior to the authority who submitted the 'NOTE' passed the impugned punishment order at Ex M-8. The above said report at Ex M-7 is certainly not at the result of a regular Domestic Enquiry. Its perusal will disclose that the officer who made the report just put certain questions to the first party workman and taking into account the above said news item and the experts opinion came to the conclusion that first party was guilty of the misrepresentation rather impersonation in obtaining the job. Therefore the above said report rather a 'NOTE' prepared by the officer concerned cannot be regarded to be the findings given by the Enquiry Officer after having admitted a regular departmental proceedings. The management was not supposed to jump to the conclusion on the basis of the above said 'note' to issue the letter at Ex M-8 removing services of the first party workman that too on the ground that he is being removed from service on charge of impersonation in securing the employment. This action of the management in removing the first party from service on the charge of misconduct which was not brought out during the course of a regular enquiry giving an opportunity of hearing to the first party certainly will not sustain in the eye of law as it attached stigma to the career and the character of the first party, he being condemned unheard. Now, it is well settled principles of law that no employee can be removed from service for any misconduct committed by him without there being a full dress and regular Domestic Enquiry affording him an opportunity of hearing as well as opportunity to defend himself taking the assistance of co-worker or office bearer of the union, or by engaging any lawyer if found necessary. In the instant case as noticed above there was absolutely no basis for the management prima facie to hold that the first party was guilty of the aforesaid charge of misconduct. The management could not have acted upon the news item nor could have acted upon the experts opinion before any opportunity was given to the first party workman particularly when the so called statement of first party workman was silent upon the fact as to whether he tendered manipulated service card in obtaining the employment or whether he pleaded guilty to the charge. In fact the stand taken by the first party in his statement was that he was illiterate man and depended upon his co-worker Gangayya in seeking job with the Konkan Railway tendering his service card for the purpose. Therefore there being no case of admission or acceptance of the guilt of first party at any stage, the management cannot take it for granted that it

was a clear case of fraud committed by the first party so as to remove him from service by taking unilaterally action in the matter. The principle laid down by their lordship of Supreme Court in the decision cited on behalf of the management referred to supra, will not come to the help of the management, though, on facts it was also a case of the workmen concerned obtaining jobs on the basis of the production of bogus and forged casual labourer service card. In the said case management, infact had conducted a regular Domestic Enquiry against the workmen concerned.

11. At para 6 of the decision their lordship noted that

"Para 6: cards on the basis of which they got employment is clearly established on record of the departmental enquiry held against the concerned employees"

in the same para it was noted that

"Para- 6: Once the fraud of the respondents in getting such employment was detected the respondents were proceeded against in departmental enquiries and were called upon to have their say and thereafter have been removed from service. Such orders of removal would amount to recalling of fraudulently obtained erroneous appointment orders which were avoided by the employer-appellant after following the due procedure of law and complying with the principles of natural justice".

in the same para their lordship further observed that

"Para 6: Therefore, it cannot be said that the appellants are estopped from recalling such fraudulently obtained employment orders of the respondents subject course to following due procedure of law and in due compliance with the principles of natural justice on which aspect there is no dispute between the parties."

12. Therefore from the reading of the aforesaid facts noted and observed by their lordship of supreme court it becomes crystal clear that in the aforesaid case, management concerned proceeded with a regular Domestic Enquiry against the delinquents concerned on the allegation that they obtained employment fraudulently producing some bogus and forged cards and it is on the basis of the findings of the Domestic Enquiry holding them guilty of the charge; those delinquent were dismissed from service. In the instant case as noted above, nothing of this sort has been done. In the result, the impugned punishment order passed on the first party for the alleged misconduct without conducting a regular Domestic Enquiry giving him an opportunity of hearing and an opportunity to defend himself cannot be sustained in the eye of law it being illegal and void much less suffering from violation of principles of natural justice and in the result the consequences to follow will be his reinstatement in service.

13. Now coming to the question of back wages to be awarded to the first party, at para 7 of his affidavit he has stated that he has not been gainfully employed from the date of his termination and had no other means of survival than employment in quesation. There is no counter affidavit filed on behalf of the management challenging the aforesaid

statement of first party nor the management witness in his examination in chief stated anything about the gainful employment of the first party after he was removed from service. However, it will not be safe for this tribunal to come to the conclusion that first party has been idling his time and life without earning his livelihood to maintain himself and his family doing some sort of work or the job. Therefore, keeping in view the above said factor and the fact that a period of more than 12 years has been elapsed from the date of impugned punishment order till today and so also taking into account, the fact that the first party did not raise the dispute till the year 1997, it appears to me that ends justice will be met if he is granted backwages at the rate of 50% from 05-02-1997 i.e., the date of reference, till the date of his reinstatement with continuity of service and other consequential benefits, however with a liberty to the management to proceed against the first party with regular Domestic Enquiry for the misconduct in question, if so advised. Hence the following award:

ORDER

The management is directed to reinstate the first party workman into its service with 50 % of the backwages from 05.02.1997 till the date of his reinstatement with all the consequential benefits including continuity of service. The management is at liberty to proceed against the first party with a regular Domestic Enquiry for the misconduct alleged against him giving him opportunity of hearing if so advised. No order to cost.

(Dictated UDC, transcribed by him, corrected and signed by me on 4th October, 2007)

A. R. SIDDIQUI, Presiding Officer

नई दिल्ली, 12 अक्टूबर, 2007

का.आ. 3237.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हुटीगोल्ड माईन्स क. लि. रायचुर, के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, बंगलौर के पंचाट (संदर्भ संख्या सीआर सं.-58/2003) एवं 59/2003 को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-10-2007 को प्राप्त हुआ था।

[सं. (1) एल-43011/8/2003-आईआर (एम) (2)

एल-43011/7/2003-आईआर (एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 12th October, 2007

S.O. 3237.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. C.R. No. 58/2003 & 59/2003) of the Central Government Industrial-Tribunal-cum- Labour Court, Bangalore, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Hutti gold Mines Co. Ltd. Raichur and their workman, which was received by the Central Government on 12-10-2007.

[No. (1) L-43011/8/2003-IR(M)

(2) No. L-43011/7/2003 IR(M)]

N. S. BORA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT

“Shram Sadan”, III Main, III Cross, II Phase, Tumkur Road, Yeshwantpur, Bangalore-560022

Dated : 24th September, 2007

Present Shri A.R. Siddiqui, Presiding Officer

C.R. No. 58/2003

I Party :

Sri Shamsuddin,
Ex. T. No. 37,
House No. 47/6

GR. Colony,
Co. Ltd., Raichur, Hutti Vill.
& P.O. Lingasugaur Taluk,
Raichur

II Party

The General Manager,
M/s. Hutti Gold Mines Co. Ltd.,
P.O., Raichur, Dist. Karnataka,

Hutti Gold Mines, Raichur.

C.R. No. 59/2003

II Party

Shri Narasappa,
Ex. T. No. 267,
House No. 27/4,
Jetti Colony,
Hiyyi Gold Mines Co. Ltd.,
Hutti Vill. & P.O. Lingasugur
Taluk, Karnataka, Raichur.

The General Manager
M/s. Hutti Gold Mines Co. Ltd.
P.O. Raichur, Dist. Karnataka,
Raichur.

COMMON AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 have referred these disputes vide order Nos. L-43011/8/2003-(IR(M) & No. L-43011/7/2003-IR (M) dated 14th October 2003 & 21st October 2003 for adjudication on the following schedules:

SCHEDULE (CR.. 58/2003)

“Whether the action of the management of Hutti Cold Mines Co. Ltd., Hutti Raichur Distt. (KN) in dismissing Shri Shamsuddin Ex. T. No. 37 from the service is justified? If not, to what relief the concerned workman is entitled?”

SCHEDULE (CR.. 59/2003)

“Whether the action of the management of Hutti Gold Mines Co. Ltd., Hutti Raichur Distt. (KN) in dismissing Shri Narasappa EX. T. No. 267 from the service is justified? If not, to what relief the concerned workman is entitled?”

2. Two separate charge sheets dated 19-09-2001 came to be issued to the two first party workmen involved in these two proceedings on the allegation that they together along with another person by name Shri Palani committed theft of about 120 Kgs of copper wire belonging to the company and interalia entered into deal for disposal of the same by selling it illegally at about 4 pm on 14-09-2001 resulting into the confiscation of the stolen property by the Hutti Police. Therefore, the above acts of these first part workmen were held to be in contravention of the Company's Standing Order No. 19 (36 & 47) and they were called upon to submit their explanation to the aforesaid charge sheets it appears that both the first party workmen had given their explanation separately, not being found satisfactory to the disciplinary authority thereby giving rise to two separate enquiry proceedings held against them holding them guilty of the charges of above said

misconduct of theft by way of enquiry findings given by the enquiry officer concerned and thereupon, the first party were heard in the matter and ultimately they were removed from service by way of dismissal order impugned in these two proceedings.

3. The first party workmen by their separate claim statements challenged the aforesaid enquiry proceedings as opposed to the principles of natural justice, enquiry findings as suffering from perversity and that the impugned punishment order passed against them were unjust and illegal.

4. The management by way of separate counter statements however, asserted and maintained that the enquiry proceedings held against the first party workmen were in accordance with the principles of natural justice; that the enquiry findings holding them guilty of the charges were based upon sufficient and legal evidence and the impugned orders of dismissal, passed against them were legal and justified.

5. Based on the pleadings of the respective parties with regard to the validity and fairness or otherwise of the enquiry proceedings, this tribunal framed separate preliminary issues on the said point in both the cases and allowed the parties to lead evidence at their command. The management in the case against workman, Shri Shamsuddin in CR No.58/2003 (hereinafter referred to by name) examined the enquiry officer as MW1 and in his examination chief got marked documents at Ex. M1 to M15. Whereas, in the case against the workman, Shri Narsappa in CR No.59/2003, the management examined the enquiry officer as M1 getting marked 17 documents at Ex.M1 to M17. In both the cases the first party workmen examined themselves by way of rebuttal evidence.

6. After hearing the learned counsels for the respective parties, this tribunal in CR No. 58/2003 in the case against the workman, Shri Shamsuddin passed orders on the DE dated 15-05-2006 setting aside the same as unfair and not proper. Similarly, in the case against the workman Shri Narsappa this tribunal by order dated 10-04-2006 recorded a finding on the above said issue against the management setting aside the enquiry proceedings. Thereupon, the management on merits of the case tendered the evidence of three witnesses namely, MW2 to MW4 and got marked about 5 documents at Ex.M16 to M21 and these witnesses were cross examined on behalf of the first party. Both learned counsels for the respective parties filed joint memos to read the evidence recorded in CR No. 58/2003 as an evidence also in CR No.59/2003. Therefore, common award is being passed in both these cases.

7. Now, coming to the oral testimony of MW2, relevant for the purpose is that on 15-09-2001 he received a phone call from the DGM by name Shri Gangal stating that at about 5 pm they need to go to the Police Station to identify some copper wire belonging to the management said to have been seized by the police. Then at about 5 pm he himself, said DGM, Chief Security Officer, Hallappa and Junior Electrical Engineer went to the Police Station where they happened to see the abovesaid copper wire weighing of about 120 to 130 Kgs and they identified the same as the

property belonging to the management. He stated that according to the police this was the property they seized from one Davalsab, the Scrap Dealer. The police further told them that they have arrested Shri Shamsuddin, Narasappa and said Palani and they have already been sent to the judicial custody by the court. In his further examination chief he stated that the above said property was kept in main store after being removed from over headlines being replaced by ACSR conductor. He stated that after having verified and identified the property he made a report to the DGM accordingly at Ex M16 and he then referred to the FIR issued by the police in this connection at Ex. M17. He further stated that the criminal prosecution against these culprits is still pending in the Criminal Court. In his last sentence he stated that earlier to this incident also Shamsuddin was caught by the police for the theft of Copper Wire. In his cross-examination it was elicited that neither he nor Mr. Doddamani, Hallappa and BS Gangal were connected to the main store and that one Mr. Seetharam who was working as a Senior Manager, materials was the incharge of the said store and the property in question was in the custody of said Seetharam. It was elicited that there was no report or complaint made by Shri Seetharam or anybody for missing of the property in question from the main store. He also admitted that neither himself nor the other officers visited the Police Station have made any complaint with regard to the theft property. He admitted that there was no mahazar drawn for the property on behalf of the management. He denied the suggestion that Ex. M16 was prepared by him under the directions of the superior authority and that the facts mentioned therein do not reflect the truth. He denied the suggestion that the workman involved in this case namely, Shamsuddin did not commit any theft earlier to the incident in question.

8. MW3 by name, Teli in his examination chief stated that after having received information from the police station he went to the police station along with Shri Doddamani and found there the copper wire belonging to the company. He then stated that he found Shamsuddin and Narasappa along with the other person with the stolen copper wire and in his presence the statement of Davalsab, the Scrap dealer was recorded by the police on 19-09-2001. In his further examination chief the statement of said Davalsab was marked at Ex.M18. He denied the suggestion that on 14-09-2001 Shri Shamsuddin and Narasappa were not caught by the police selling the Copper Wire and were not found in possession of the same and that there was 'no scrap dealer by name Dhavalsab.

9. MW4, the said Hallappa has just repeated the averments made by MW3 in his examination chief. In his further examination chief the letter said to have been given by the Chief Security Officer by name Basavaraj Doddamani dated 06-07-2001 marked at Ex. M18. His another letter dated 26-07-2001 addressed to the security department along with the copy of the FIR was marked at Ex.M19 and M19(a). The complaint with regard to the theft in question was marked at Ex.M22. Another letter dated 19-07-2001 by the Chief Security Officer written to the Director with regard to the theft property were marked at Ex. M21. In his cross examination it was elicited that Ex.M18 & M19 do not bear his signature and he denied the suggestion that they were

not sent to the Engineering Department by the said Chief Security Officer and that they have been created for the purpose of this case along with the other two documents at Ex. M20 & 21. he admitted that all these documents do not bear his signature. He has shown his ignorance to the suggestion that these two workmen have already been acquitted by the criminal court.

10. By way of rebuttal Shri Shamsuddin & Narasappa filed their affidavits denying the charges of misconduct and their case is that on 15-09-2001 both of them were taken to the Huttli Police Station and were asked to identify some material and thereafter a false case of theft was foisted upon them. They stated that both of them were charge sheeted in criminal case and they have been acquitted by the competent JMFC court by judgment dated 30-11-2002. In their cross examination they have denied the suggestion that on 14-9-2001 both of them along with Shri Palani were found selling theft copper wire to Dawalsab and they were caught by the police. They have shown their ignorance if any official of the company visited the Police Station and identified the theft property. It was elicited in their cross examination that they have not seen the Dawalsab in the Police Station and do not know about any statement given by Dawalsab to the police that he purchased the property from them. This is all the oral and documentary evidence brought on record on merits of the case.

11. Learned counsel Smt. Usha Rani for the management vehemently argued that the evidence produced in the statements of MW 2 to MW4 coupled with the aforesaid documents is sufficient enough to prove the guilt of the first party workmen. She submitted that as per the documents at Ex. M18 and M20, theft of the property in question was reported by way of complaint and report by the Security Officer of the Officer's concerned and there after on 14-09-2001 these three witnesses had gone to the Police Station to identify the property. She submitted that as per the statement of Ex. M18 said to have been made by said Dawalsab to the police, it is very much clear that he purchased the theft property in question from these two workmen who were accompanied by the said Palani and thereafter the police had recovered the same from his custody. Therefore, learned counsel submitted that the statement of said Dawalsab, the strap dealer is very much relevant, and important to connect the first party with the guilt. She submitted that the non-examination of said witness, Shri Dawalsab before this tribunal is not a circumstance to go against the management as his statement has been marked before this tribunal at Ex. M 18 in the deposition of MW3. Learned counsel also took the court through the explanations submitted by the first party workmen to the charge sheets issued to them wherein they have stated about the amount paid to them as a consideration against the theft property which fact now they have denied before this tribunal during the course of cross examination. Learned counsel to support her arguments that even the hearsay evidence can be taken into consideration in order to substantiate the charge of misconduct against the delinquent concerned cited a decision reported in 1982 I LLJ SC page 54. She also took support of the decisions as to what evidence in fact is

sufficient to be produced during the course of departmental enquiries to substantiate the charges of misconduct and that in the criminal proceedings charges of misconduct against the delinquent concerned need not be proved beyond all reasonable doubt. She also contended that the acquittal of the first party workmen by a criminal court cannot be taken to be a circumstance sufficient to hold that the charges of misconduct of theft is not proved against them by the management or that the management cannot proceed with the departmental enquiry against them in the face of their acquittal from a criminal court for the very incident of misconduct committed by them. In this respect also she cited certain rulings and further contended that the two decisions cited on behalf of the first party workmen on the point of acquittal of the first party workman are not applicable to the present case. The Seven decisions cited on behalf of the management in support of her arguments are as under:

1. 1982 I LLJ SC page 54
2. 1982 I LLJ SC page 46
3. 1992 II LLN page 1059
4. ILR 2002 Kar. 1069
5. 2001 (2) LLN page 275
6. 1997 I LLJ SC page 746
7. 2006 SCC(L&S) page 35.

12. Whereas learned counsel for the first party, Shri Muralidar argued that the charge of theft which is very serious in nature has not been proved by the management in the aforesaid oral testimony of MW2 to MW4 and the above referred documents, there being no direct or circumstantial evidence produced by the management to connect the workmen with the guilt. He contended that the statement of above said Dawalsab cannot be found basis for the proof of the charge of theft levelled against the first party workmen as neither the said witness is produced before this tribunal nor the police concerned who are said to have recorded his statement are produced before this tribunal to testify the above fact. He contended that the very management case on the point as to from whose custody the property in question was recovered by the police is self conflicting as once it is said that the property was recovered from said Dawalsab and at another place it is said that the first party workmen were found in possession of the property when they were selling the same to the said Dawalsab. He submitted that the recovery of the property itself, from the of the possession of the first party workmen, has not been proved before this tribunal as MW2 to MW4 are not the witnesses to the recovery of the property either from the said Dawalsab or from the first party workmen. He also took the court through the statement of MW2 in his cross examination to suggest that in fact for the property in question, there was no complaint either by the custodian of the property or by any of the officials of the management company at any point of time and that the documents now produced in the form of reports with regard to the theft property are created subsequently for the purpose of these cases. His next contention was that the police concerned who are said to have recovered the property from said Dawalsab and registered the case against the first party

workmen, the said Palani and one another resulting into the criminal prosecution of the first party workmen, have failed to prove the charges of misconduct against them during the course of criminal trial and that the first party workmen along with others have been acquitted by the competent court on the ground that there was no iota of evidence produced by the workmen to the police concerned. He submitted that the first party have not been acquitted giving any benefit of doubt but honourable. Therefore, in the face of the said judgement of the criminal court produced before this tribunal, the impugned punishment order passed against them dismissing them from service cannot be maintained as sustainable in the eye of law. In this connection he cited the following three decisions:

1. 1995 1 LLJ page 547
2. 1997 II LLJ page 489
3. ILR 2005 Kar. 3449

13. As far as the decision cited on behalf of the management reported in 1982 1 LLJ SC page 54, learned counsel for the first party submitted that it is not applicable to the facts of the present case as the observations made in the above decision by their Lordships of Supreme Court will be relevant when a question as to what should be the evidence sufficient to hold the workmen guilty of the charges in the departmental proceedings, arises. As far as the other decisions cited on behalf of the management with regard to the criminal prosecution against the delinquent concerned and the powers of the disciplinary authority to conduct the departmental enquiry against the delinquent is concerned, learned counsel submitted that there cannot be any dispute on the said fact. However, he contended that when the first party workmen have been acquitted by the competent criminal court on the very set of evidence and facts that too not giving any benefit of doubt, then the dismissal order passed against them cannot be allowed to continue.

14. After having gone through the evidence brought on record I find substance in the arguments advanced on behalf of the first party workmen. The evidence of MW2 to MW4 as brought out in their examination chief as well as in their cross examination, certainly as argued for the first party workmen will not be of any assistance to the management in establishing the fact that the first party workmen have committed the theft of the property in question. All these 3 witnesses have simply spoken to the fact that on the information received from the police station they had gone to the police station and identified the property as belonging to the management company. Infact the very visit of these officers to the police station becomes doubtful when we look into their statements, closely. MW2 in his examination chief itself says that when he went to the police station he was told by the police that they had arrested the first party workmen and one Shri Palani in connection with the said property and they were sent to the judicial custody by the court. Whereas, MW3 & 4 in their examination chief itself, have not uttered a single word to the effect that when they visited the police station these two workmen were not in the police station or that they were sent to the judicial custody. Infact in their examination chief what they have stated is that when they went to the

police station they found the workmen Shri Shamsuddin and Narasappa and in his presence the statement of said Dawalsab was recorded. Whereas, MW2 never says about the presence of the first party workmen or the presence of said Dawalsab in the Police Station or to the fact that in his presence and in the presence of MW 3&4 statement of said Oawalsab was recorded. Even otherwise testimony of MW2 to 4 stating that they have identified the stolen property at the police station and they were told by the police that as per the statement of Dawalsab that the first party committed the theft of the same cannot be taken to be evidence legal and sufficient or direct or circumstantial to connect the first party workmen with the guilt. The most important evidence in order to substantiate the charges of theft against the first party workmen would have been in terms of direct evidence, circumstantial evidence or by way of recovery of the theft property from the possession and custody of the culprits. All these factors are missing in the present cases. First of all as argued for the first party the fact that there was any theft of the property belonging to the company at any point of time was not at all established by any satisfactory evidence. The reports relied upon by the management to show that there was theft of the property in question certainly are not reliable as no complaint as such was registered with the police about the theft of the property belonging to the company at any point of time. This fact as noted above, in the statement of MW2 in his cross examination has been very much brought out. He has admitted that there was absolutely no complaint by himself or by any officials of the management company to the police with regard to the theft property in question. One Sitaram was said to be in the custody of the main store where the property like cable wire were being stored. But there is no complaint from him either to his superiors or to the police to the effect that some property from his main store much less copper wire was stolen. He was also not produced before this tribunal. Therefore, the very fact that there was theft of the property belonging to the company itself not established.

15. Now coming to the question of the recovery of the property. There are two different versions. It is staid that this property is recovered from the possession of Dawalsab and on the basis of the statement of Dawalsab it was disclosed that he had purchased the property from the first party workmen. MW2 in his examination chief as noted above, has stated that the police told him that they have seized the property from one Dawalsab, the scrap dealer. According to MW3 the statement of Dawalsab was recorded in his presence on 19-07-2001 and whereas, MW4 in his examination chief has stated that on 14-09-2001 the first party workmen along with said Palani were caught by the Hutti Police while selling the Copper wire to the scrap dealer by name Dawalsab. In the cross examination of the first party workman, Narasappa also a suggestion was in the cross made to the effect that on 14-09-2001 when he, said Palani and Shamsuddin were selling the theft property to Dawalsab, they were caught by the Police. Therefore, these two conflicting versions brought out in the evidence of the management itself will falsify the story of the very recovery of the said property either from the possession of Dawalsab or from the possession of the first party workmen.

If one is to believe that the police recovered the property from Dawalsab, then we must discard the story of the management that the property was recovered from the possession of the first party workmen when they were found selling the same to the said Dawalsab and vice versa. Moreover, no witness to the recovery panchama, much less, the police who conducted the recovery panchama has been produced before this tribunal to show that the property either was recovered from Dawalsab or it was recovered from the first party workmen. Therefore, here is the case where there is no direct or circumstantial evidence to speak to the fact that the first party workmen were responsible for the misconduct of theft alleged against them in the charge sheet. Therefore, there cannot be any hesitation for this tribunal to come to the conclusion that the management fails to establish the charges of misconduct of theft against the first party workmen. As argued for the first party, the decision reported in 1982 1 LLJ SC page 54 will not come to the rescue of the management in the present case to suggest that even the 'hearsay' evidence can be believed. From the reading of the above said decision, it can be gathered that their Lordship of Supreme Court held the view that even some evidence by way of hearsay can be taken into consideration while establishing the charges of the misconduct in the departmental enquiry where charge of misconduct need not be proved beyond any reasonable doubt. We are not now concerned as to whether the evidence which was let in during the course of enquiry was hearsay evidence or legal and sufficient evidence to establish the charge of misconduct against the first party workmen as those enquiry proceedings itself have been set aside by this tribunal and charges of misconduct were required to be substantiated by the management before this tribunal by sufficient and legal evidence and not on the basis of any 'hearsay' evidence. Therefore, I must record a finding to the effect that charge of misconduct levelled against the first party workmen that they committed theft of the property belonging to the management company fails to establish and in the result, the impugned punishment order passed against them dismissing them from service will have to be held as illegal and void abinitio.

16. That apart, the dismissal order passed against the first party workmen also cannot be maintained as undisputedly the first party workmen have been acquitted from the very charge of misconduct levelled against them by way of criminal prosecution before the competent criminal court by judgement dated 30-11-2002 produced before this tribunal. A perusal of the judgement will disclose that the first party workmen along with 2 others including said Dawalsab and Palani were charge sheeted for the offence of theft 'property belonging to the management company involved in the present charge sheet against the first party workmen. After due trial of the case the learned magistrate in his judgment observed that there was no iota of evidence to show that the accused were involved in the offence punishable under 371 of the IPC. During the course of criminal trial as could be seen from the judgment there were six witnesses examined and documents were marked

and it is after the appreciation of the oral and documentary evidence, the learned magistrate acquitted the first party workmen and others not giving any benefit of doubt but on the ground that there was no iota of evidence against them. It is in this context one must appreciate the arguments advanced for the first party workmen that when the first party workmen have been acquitted for the misconduct of theft alleged against on the very set of facts and evidence, the dismissal order passed, against them cannot be allowed to maintain. In the case cited above, reported in 2006(3)LLJ SC page 1075 their Lordship at Para 20 of the judgment laid down the principle that when in a criminal case the delinquent was honourably acquitted and that case was based on the same set of evidence and facts, the dismissal against the delinquent was liable to be set aside. Similar is the view held by their Lordship of our Hon'ble High Court in the aforesaid decision reported in 2003(1)LLJ page 148. Their Lordship while upholding the contention of the management that the acquittal in criminal trial will not take away the right of an employer to proceed with departmental proceedings against the employee upon the same charges but there would be an exception to the rule aforesaid if the acquittal was a honourable acquittal by the criminal court. In the instant case as noted above, the acquittal was honourable and therefore, keeping in view the principle laid down by their Hon'ble Supreme Court and our High Court, the dismissal order passed against the first party workmen cannot be maintained on this count, also. In the result the dismissal order passed against the first party workmen are held to be illegal and void abinitio.

17. When the dismissal orders are held to be illegal, then it goes without saying that the first party workmen are entitled to reinstatement in service.

18. Coming to the question of back wages, both the workmen have filed their affidavits stating that after their dismissal from service they have not been gainfully employed and this statement of the first party workmen has not been controverted or challenged by the management by way of counter affidavit or by way of other evidence. Therefore, the proper order with regard to the payment of back wages under the facts and the circumstances of the case would be to direct the management to pay full back wages to the first party workmen from the date of impugned dismissal order till the date of their reinstatement along with other consequential benefits including their continuity of service. Hence the following award:

AWARD

The management is directed to reinstate the first party workmen into its services with full back wages from the date of dismissal till the date of their reinstatement with continuity of service and other consequential benefits. Keep a copy of the award in CR No.59/2003. No costs.

(Dicated PA transcribed by her connected and signed by me on 24th September, 2007)

A. R. SIDDIQUI, Presiding Officer

नई दिल्ली, 12 अक्टूबर, 2007

का.आ. 3238.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टील अथॉरिटी ऑफ इंडिया लि., भद्रावती के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय बंगलौर के पंचाट (संदर्भ संख्या सी.आर. सं. 11/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-10-2007 को प्राप्त हुआ था।

[सं. एल-29011/25/2002-आई आर(एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 12th October, 2007

S.O. 3238.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. C. R. No. 11/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore now as shown in the Annexure in the industrial dispute between the employers in relation to the management of Steel Authority of India Ltd. Bhadravati and their workmen, which was received by the Central Government on 12-10-2007.

[No. L-29011/25/2002-IR (M)]

N. S. BORA, Desk Officer

**ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
“SHRAM SADAN”,
III MAIN, III CROSS, II PHASE, TUMKUR ROAD,
YESHWANTHPUR,
BANGALORE-560 022.**

Dated the 3rd October, 2007

PRESENT

SHRI A. R. SIDDIQUI,

Presiding Officer

C. R. NO. 11/2004

I Party	II Party
The President, Visveswaraya Iron & Steel Ltd. Contract Employees Union (Regd.) Couse Sab Lane Old Town, Bhadravati-577301	The Management of Steel Authority of India Ltd. Visveswaraya Iron & Steel Plant, Bhadravati-577301

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide order No. L-29011/25/2002-IR (M) dated 12th February, 2002 for adjudication on the following schedule:—

SCHEDULE

“Whether the prayer of the workmen in their Writ Petitions (33248-33253/99 & WP Nos. 33485-33963/99 & WP Nos. 1492-1622/2000) filed in the High Court of Karnataka for absorption and regularisation of

service by the management of Steel., Authority of India Ltd, Visveswaraya Iron & Steel Ltd, Bhadravati-577301 justified?” If so, to what relief the workmen are entitled?”

2. In the light of the orders of Hon'ble High Court dated 5-12-2001 in W. P. Nos. 33248-33253/1999 C/w 33485-33963/1999 & 1492-1622/2000 and confirmed by the Division Bench of our Hon'ble High Court in Writ Appeal No. 1198-1813/2002, the Govt. of India referred the following reference to this tribunal:

“Whether the prayer of the workmen in their Writ Petitions (33248-33253/99 & WP Nos. 33485-33963/99 & WP Nos. 1492-1622/2000) filed in the High Court of Karnataka for absorption and regularisation of service by the management of Steel, Authority of India Ltd. Visveswaraya Iron & Steel Steel, Ltd, Bhadravati-577301 justified?” If so, to what relief the workmen are entitled?”

3. In pursuance to the notices issued by this tribunal, the parties made appearance and the first party union through its President filed its Claim Statement. Thereupon, learned counsel appearing for the management filed I. A. No. 1 requesting this tribunal to hear the question with regard to the maintainability and the validity of the present reference to this tribunal as a preliminary issue. The first party union resisted the said application and this tribunal by order dated 14-2-2005 rejected the said application filed by the management holding that the reference is very much maintainable and this court has got jurisdiction to entertain the same. Thereupon, the matter came to be adjourned for filing of the Counter Statement by the management.

4. On 06-04-2006, counsel for the management filed a memo along with the letter of the advocate appearing for the management before the Supreme Court stating that the proceedings before this tribunal have been stayed in the light of the Civil Appeal filed by the management before the Hon'ble High Court against the judgement of Division Bench of Hon'ble High Court referred to supra. On 30-05-2006, a memo with the copy of the stay order issued by the Hon'ble Supreme Court was filed and the matter came to be adjourned awaiting further orders of Hon'ble Supreme Court. On 05-10-2006, on behalf of the management it was brought to the notice of this tribunal that the above said Civil Appeal filed by the management has been allowed and the case came to be posted for production of judgement copy of Supreme Court. On 15-11-2006, learned counsel for the management filed a memo with Xerox copy of the Hon'ble Supreme Court's Order requesting this tribunal to dismiss the reference in the light of the aforesaid Supreme Court's judgement, where under the orders of Hon'ble High Court in Division Bench have been quashed. On 6-6-2007, learned counsel for the first party submitted his say on the above said memo filed by the management counsel and the matter came to be posted to hear on the said memo. On 30-7-2007, learned counsel for the management filed a memo along with the Xerox copy of ALC's letter and the copy of the petition of the first party union filed before the ALC and the matter was adjourned for hearing on the aforesaid two memos. On 20-09-2007, the first party union President and the learned counsel representing the first party union, both

submitted to close the present proceedings in the light of the above said Supreme Court's Judgement in Civil Appeal referred to supra.

5. After having heard the learned counsels for the parties, the case is posted this day for award. As seen above, the present reference came to be referred to this tribunal by the Government of India in the light of the aforesaid orders dated 05-12-2001 passed by the Hon'ble High Court sitting in Single Bench in Writ Petition No. 33485/1999 and others, which orders of the Hon'ble High Court came to be confirmed by Division Bench of Hon'ble High Court dated 18-12-2003 in the aforesaid appeal numbers. As noted above, the management aggrieved by the judgement of our Hon'ble High Court in Division Bench dated 18-12-2003, preferred Civil Appeal No. 4263/06 arising out of SLP (Civil) No.12621-13236/2004 and their Lordship of Supreme Court by judgement dated 26-09-2006 have set aside the above said judgement of our Hon'ble High Court in the aforesaid Writ Petitions and confirmed by the Hon'ble High Court in Writ Appeal in Division Bench. Therefore, now the learned counsel for the management has filed a memo along with the copy of the above said Supreme Court's judgement requesting this tribunal to reject the reference as the very judgement of the Hon'ble High Court under which the present reference is made to this tribunal has been set aside. As noted above, the first party union President and the learned counsel for the first party union have submitted to close the present proceedings in the light of the Supreme Court's judgement as requested by the learned counsel for the management.

6. Therefore, having gone through the aforesaid two judgements of the Hon'ble High Court and the judgement of their Lordship of Supreme Court, it is now clear that the present reference which came to be referred to this tribunal by the Govt. of India in the light of the directions of the Hon'ble High Court in the aforesaid two judgements no more survive and is liable to be disposed off accordingly. Hence the following award:

AWARD

The reference stands rejected as survives no more. No. costs.

(Dicated to PA, transcribed by her, corrected and signed by me on 3rd October, 2007)

A. R. SIDDIQUI, Presiding Officer

नई दिल्ली, 12 अक्टूबर, 2007

का.आ. 3239.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पत्थर खदान एवं क्रशर मलिक संघ, दुमका के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय II, धनबाद के पंचाट (संदर्भ संख्या 51/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-10-2007 को प्राप्त हुआ था।

[सं. एल-29011/7/2005-आई आर(एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 12th October, 2007

S.O. 3239.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 51/2005) of the Central Government Industrial Tribunal-cum-Labour Court II, Dhanbad now as shown in the Annexure in the industrial dispute between the employers in relation to the management of Pathar Khadan & Crusher Malik Sangh, Dumka and their workmen, received by the Central Government on 12-10-2007.

[No. L-29011/7/2005-IR (M)]

N. S. BORA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT

Shri NAGENDRA KUMAR,

Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947

REFERENCE NO. 51 OF 2005

Parties Employers in relation to the management of Pathar Khadan & Crusher Malik Sangh and their workmen.

APPEARANCES:

On behalf of the workmen : None

On behalf of the employers : None

State : Jharkhand : Industry : Stone

Dated, Dhanbad, the 27th Sept., 2007

AWARD

The Government of India, Ministry of Labour & Employment, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-29011/7/2005-IR(M) dated the 3rd May, 2005.

SCHEDULE

1. Whether the claim of the Jharkhand Pathar Tore Mazdoor union for getting wages from 16-8-2004 to 25-8-2004 to the workers engaged by the management of Pathar Khadan Evam Crusher Malik Sangh, Sarsdangal Bock—Sikaripada, Distt. Dumka (Jharkhand) for declaring lockout disentitling the workman from their legal right to work or refusing the term of their employment is justified?

2. Whether the application of principle of 'no work no pay' in case of striking employees be applied on the above mine owners who for no fault of the workers have refused to continue to work from 16-2-2004 to 25-8-2004? Are the mine owner liable to pay wages for the above period or not? If yes, to what relief the above workmen represented by the union are entitled?

It appears from the record that at first the instant reference was fixed in the Lok Adalat held by this Tribunal on 22-8-2005 when Mr. Islam Mian, Secretary Jharkhand Pathar Tor Mazdoor Union appeared on behalf of the concerned workmen and Mr. Lau Kant Jha Owner's President made appearance on behalf of the management. They also filed copies of settlement petition without its original. Since the original settlement was not filed by them the copies of the same could not be accepted by the Tribunal. Thereafter several adjournments were granted by this Tribunal with direction to file the original settlement but neither they appeared before this Tribunal nor they filed the original settlement.

It also further appears that workmanside even did not consider necessary to file Writen Statement in compliance of Rule 10B of the I.D. Central Rules, 1957. Under such circumstances, this Tribunal finds no ground to adjourn the case suo moto for months together. Hence, the case is closed and a 'No disput' Award is passed in this reference presuming non-existence of any Industrial dispute between the parties.

NAGENDRA KUMAR, Presiding Officer

नई दिल्ली, 12 अक्टूबर, 2007

का.आ. 3240.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट अथोरिटी ऑफ इंडिया, नई दिल्ली के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय I, नई दिल्ली के पंचाट (संदर्भ संख्या आई. डी. सं. 64/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-10-2007 को प्राप्त हुआ था।

[सं. एल-11012/1/2003-आई. आर. (एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 12th October, 2007

S.O. 3240.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. I.D. No. 64/2003) of the Central Government Industrial Tribunal/Labour Court, I, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Airport Authority of India, New Delhi, and their workman, which was received by the Central Government on 12-10-2007

[No. L11012/1/2003-IR (M)]

N. S. BORA, Desk Officer

ANNEXURE

**BEFORE SHRI SANT SINGH BAL : PRESIDING
OFFICER CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. I NEW DELHI**

I.D. NO. 64/2003

In the matter of dispute between :

Shri G.L. Sharma
Through the General Secretary,
Delhi Karamchari Sangh,
5239, Ajmeri Gate, Delhi-6

Workman/Applicant

Versus

General Manager,
Airport Authority of India,
Cargo Terminal II
New Delhi-110037

Management/Respondent

Appearances : None

AWARD

The Central Government in the Ministry of Labour vide its Order No.L-11 0 12/1 /2003(IR(M) dated 5-5-2003 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Airport Authority of India in terminating the services of Shri G.L.Sharma, Ex-Computer Operator -Clerk through contractor w.e.f. 25-6-2001 is just, fair & legal? If not, to what relief the workman concerned is entitled and from which date?"

2. Brief facts of this case as culled from record are I that the workman was appointed by the management in November, 1997 for the post of Computer Operator/Clerk and the last drawn salary was Rs. 2604/-, the applicant/workman had worked to the entire satisfaction of the Respondent Management and there was not a single complaint against; the workman regarding his work and conduct during the entire period of his service. The management used take extra work from the workman but no extra payment was made. No EL and CL was granted to the workman. On 25-6-2001 when the workman went to resume his duties he was not allowed by the management to enter inside the premises and he was verbally told that his services were no more required. No notice /charge sheet was issued to the workman. Applicant /workman had sent a registered, A.D. demand letter on 23-10-2001 with a request to reinstate him with full back wages/arrears but the management did not reply. It is, therefore, prayed that the Hon'ble Labour Court may kindly reinstate the service of the workman with full back wages and continuity of his service alongwith all benefits.

3. Management filed written statement denying the claim of the workman praying for dismissal of the claim of the workman with costs.

4. Written statement was followed by rejoinder wherein the controverted facts of the written statement were refuted and those of the claim were reiterated to be correct.

5. Workman filed his affidavit in support of his case and he was cross examined on 16-1-07 and case was adjourned to 14-3-07 for evidence of the management by way of affidavit. On 14-3-2007 None appeared for the workman and Shri Manmohan Singh appeared for management and filed affidavit with one application for September 28, 2007 dismissal of the claim and case was fixed for 4-6-2007 for reply and disposal of application. On 4-6-2007, 13-9-2007 and today also

none appeared for the workman. It appears that the workman is not interested in prosecution of this dispute. Hence No Dispute Award is passed. File be consigned to record room.

SANT SINGH BAL, Presiding Officer

Dated : 27-9-2007

नई दिल्ली, 12 अक्टूबर 2007

का.आ. 3241.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट अथोरिटी ऑफ इंडिया, नई दिल्ली के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय II, नई दिल्ली के पंचाट (संदर्भ संख्या आई. डी. सं. 20/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-10-2007 को प्राप्त हुआ था।

[सं. एल-11012/11/2002-आई. आर.(एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 12th October, 2007

S.O. 3241.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. I.D. No. 20/2003) of the Central Government Industrial Tribunal/Labour Court, II, New Delhi now as shown in the Annexure in the industrial dispute between the employers in relation to the management of Airport Authority of India, New Delhi, and their workman, which was received by the Central Government on 12-10-2007

[No. L11012/11/2002-IR(M)]

N. S. BORA, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER : CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT - II, RAJENDRA BHAWAN,
GROUND FLOOR, RAJENDRA PLACE, NEW
DELHI**

PRESIDING OFFICER: R.N.RAL

I.D. No. 20/2003

IN THE MATTER OF:

The President,

Airport Employees Union, 3-V.P. House,

Rafi Marg,

New Delhi - 110001.

VERSUS

The Chairman (IAD)

Airport Authority of India,

I.G.I. Airport,

New Delhi -0.

AWARD

The Ministry of Labour by its letter No. L-11012/11/2002 (IR(M)) CENTRAL GOVERNMENT Dt. 13-02-2003 has referred the following point for adjudication.

The point runs as hereunder :

“Whether the action of the Management of Airport Authority of India, (IAD) New Delhi, in terminating the services of 7 workers namely Sh. Babu Lal-II,

Shri Kaptan, Shri Natrajan, Shri Mahadesh II, Smt. Usha, Shri Umesh Kumar Nd Ms. Imarti Safai karamcharies w.e.f. 3.8.98 after recruiting them on the basis of judgment of Honorable Supreme Court dt. 6.12.96 on the plea that their particulars could not be verified is just fair and legal? If not, to what relief the workmen are entitled to and from what date?”

The workmen applicants have filed claim statement. In the claim statement it has been stated that this claim is being filed on behalf of the workmen at whose instance a reference has been made in respect of the Industrial Dispute to the Tribunal in the following terms by an order dated 13-2-2003.

“Wherein the Central Government opined that an industrial dispute exist between the employees and management of Airport Authority of India and referred the matter. In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) to Central Government Industrial Tribunal-cum-Labour Court for adjudication.”

That the aforesaid claimants belong to the lowest rungs of the society who were appointed on different dates as contract labourers through the contractor, to work as Sweepers/Cleaners under the direct control and supervision of the Management i.e. Airport Authority of India. The Management got the police verification at the time of the initial appointment of the claimants, in this regard. The particulars of the petitioners are compiled in a form of a chart, which is annexed as Annexure-I. The other relevant documents pertaining to their employment are filed herewith and marked as Annexure-2 (Colly).

That the appropriate authority under the Central Labour (Abolition & Regulation) Act, 1970, had issued a notification dated 9-12-1976 prohibiting the employment of contract labour for the work of sweeping, cleaning, watch and ward in all the establishments in respect of which the Central Government was the appropriate Government. However, the management of the establishment, which was covered under the said notification, continued to employ the Contract Labourers in violation of the said notification until the Hon'ble Supreme Court in the judgement in Air India Statutory Corporation Vs. United Labour Union 1996 (9) Scale 70 dated 6-12-1996 was pleased to hold that on abolition of the Contract Labour System by issuance of notification by the appropriate Government u/s 10 of the Contract Labour (R & A) Act, 1970, the contract labour had to be deemed to be directly employed by the principal employer and it was statutory duty incumbent upon the principal employer to absorb the contract labourers as its regular employees. The Hon'ble Supreme Court further directed for a preparation of a seniority list on the basis of the date of initial engagement as criteria for the seniority and absorb the contract labour against the available vacancies.

That in view of the judgment of the Hon'ble Supreme Court, the respondent initiated steps for regularization of the workmen, employed as Contract Labour for the work of cleaning/sweeping in the establishment as its permanent

employees after the pronouncement of the judgment. In the process, the management asked the claimants to submit an affidavit regarding their particulars including the period worked with the Airport authority. The claimants accordingly submitted the affidavits along with the relevant documents.

That the management issued individual circulars to all the workers including the claimants, stating therein that their services will be regularized in the light of the judgment of the Hon'ble Supreme Court of India. The true copy of the Circular dated 23-4-1998 showing their names is hereby annexed with their individual documents.

That on completion of this phase all contract labourers who were on rolls as on 6-12-1996 and whose affidavits had been received by the department were called upon to appear before a committee of officers constituted by the Director, I.G.I. Airport including the claimants. The claimants were also called to appear before the committee and they had also undergone the relevant medical tests and their Police Verification was also conducted.

That, there was a House Keeping Supervising Committee appointed to ascertain the physical identity of contract labourers and to ascertain whether the employees were on roll as on 6-12-1996 i.e. on the date of the judgment of the Hon'ble Supreme Court of India.

That, thereafter the claimants herein were told that they were not found to be genuine candidates upon scrutiny by the House Keeping Supervising Committee and they were issued a communication dated 3-8-1998, terminating the services, without giving an opportunity of being heard. Even the termination order was non-speaking without giving any reason therefore. The true copy of the impugned termination order is filed herewith and marked as Annexure-3. The petitioners in spite of having all the relevant documents with regard to their employment with the Airport Authority were rejected by the Housekeeping committee. The claimants have annexed all the documents which testify that they had worked with the Airport Authority of India.

That being aggrieved by the act of the management, the claimants moved a writ petition bearing CWP No. 4752/98 before the Hon'ble High Court for regularization and absorption. Moreover, the Management opposed the writ petition on the claimants on the ground that the genuineness of the claimants could not be established by the house keeping committee.

That it is most respectfully submitted that the appointment of House Keeping Supervising Committee to ascertain the physical identity of contract workers is illegal, arbitrary and against law with a view to engage these persons as regular employees in the employment. The services of contract labourers could have been examined by an independent authority. Instead of appointment of the House Keeping Supervisory Committee, the management deliberately raised doubts about the genuineness of the identity of the workers in order to deny their legitimate claim of absorption and regularization despite the fact that there exists material documents on record which prove that they

were genuine contract labourers employed with the respondent No.1.

That the Hon'ble Supreme Court apprehending such a situation and to save the genuine contract workers directed in R.K. Panda & others Vs. Sail & others 1994 (5) SCC 304 case that, if in case, there is any dispute in respect of identity of any contract labour to be absorbed, such dispute shall be decided by the Chief Labour Commissioner (Central).

That in view of the above said ruling of the Hon'ble Supreme Court, the claimants sought permission to withdraw the writ petition with a liberty to approach the Labour Court to establish their claim. Therefore, petition was withdrawn on 27-3-2001. A true copy of the order dated 27-3-2001 passed by the Hon'ble Court granting liberty to the claimants is annexed herewith and marked as Annexure-4.

That the perusal of the documents annexed along with this claim highlighting that the claimants are genuine contract labourers.

The Management has filed written statement. In the written statement it has been stated that the appropriate Govt. has passed the reference order mechanically and arbitrarily without application of mind to the facts and circumstances of the case. The reference is bad and this Hon'ble Tribunal has no jurisdiction to try this matter.

That the statement of claim is bad under section 2(k) and 2(s) of the Industrial Dispute Act, 1947 and this Hon'ble Tribunal has no jurisdiction to try the matter.

That the statement of claim filed by the workman is not maintainable for mis-joinder and non-joinder of necessary parties, the contractor, hence this Hon'ble Tribunal has no jurisdiction to try the matter.

That the regulation and abolition of the contract labours will come under the purview of Contract Labour "Regulation and Abolition Act, 1970" and as such the appropriate court to decide the matter pertaining to contract labour is the Central Govt. through the advisory as provided in the Act. No Industrial Dispute can said to be existence. Hence, this Hon'ble Tribunal had no jurisdiction to try the matter.

That the claimant has not approached this Hon'ble Forum with clean hands and has suppressed the material facts. Hence, is not entitled for any relief whatsoever.

That the claim is belated, mala fide and has been raised after several years by misusing the process of law and to harass and blackmail the management.

That Shri Babu Lal-II and others have categorically admitted in the statement of claim that they had worked as a contract labourer through contractors, hence, it clearly shows that no employer-employee relationship existed between the management and workman and therefore no Industrial Dispute can exist.

That no valid demand notices were served on the management by the claimant before filing the case before

the conciliation officer. In any event no Industrial Dispute can be said to have been validly raised. The reference is bad and the Hon'ble Tribunal has no jurisdiction to try the matter.

That without prejudice to the above-mentioned preliminary objection, it is submitted that the claim has not been validly espoused either any union having locus-standi to do so, or the substantial body of the workmen. No Industrial Dispute can be said to be in existence. Hence, this Hon'ble Tribunal has no jurisdiction to try the matter.

It is further submitted that the claimants themselves have stated and admitted that they were engaged by the contractor. Hence, no employer-employee relationship existed between the workman and the answering management. It is further submitted that prior to the Hon'ble Supreme Court Judgment in "AIR INDIA STATUTORY CORP. VERSUS UNION OF INDIA AND OTHERS". The management of Air Port Authority of India had engaged the services of contractor for sweeping, cleaning and dusting. The contractor was solely responsible for the engagement, supervision, administration and police verification of the workers in the field of sweeping/clearing and dusting. It is further submitted that pursuant to the said judgment, the contract system was abolished. It is pertinent to mention here that the claimants were never appointed by the management of Airport Authority of India and there existed no relationship of employer and employee.

That the contents of para No. 3 of the statement of claim as stated are wrong and denied. It is vehemently denied that any provision of notification dated 9-12-1976 were ignored and violated, it is further submitted that the Govt. of India, Ministry of Labour vide letter dated 4.6.1992 had clearly mentioned the decision not to abolish contract system in sweeping/cleaning/dusting and watching or building owned by or occupied by establishments of India. Airlines, Air India, Airport Authority of India and ONGC. Hence in a view of the above said letter, no notification have been said to be ignored or violated. It is further submitted that the Air India case has been over ruled and not applicable as on date.

In reply to this para it is further submitted that for the purpose of implementing the judgment dated 6-12-1996 of the Hon'ble Supreme Court for regularizing the contract workers engaged in sweeping, cleaning and dusting, the management of Airport Authority of India outlined a detailed procedure for regularization of genuine Ex-contract workers. The detailed regularization procedure followed by the management of Airport Authority of India is here under :

(Consequent upon the Hon'ble Supreme Court order dated 6-12-1996, Ex-Contract Workers employed at the terminal building and engaged in the fields of sweeping, clearing and dusting were taken under care of Airport Authority of India (IAD), Indira Gandhi International Airport with effect from 1-2-1997, pending scrutiny by the Management.

The house keeping department was instructed to collect affidavits from the ex-contract workers and forward

the same to the department of personnel. These affidavits were accordingly forwarded to the department of personnel in May, 1997.

The completion of this phase all contract workers whose affidavits had been received by the department were called upon to appear before a committee of officers constituted by then Airport Director, IGI Airport.

The committee was required to examine date of the ex-contract workers regarding their experience, age etc. A medical Board was also constituted comprising of the medical officers and one Medical Officer from the Govt. Department, the Medical Board conducted medical examination of Ex-contract workers with respect to their fitness condition, age etc.

Thereafter, a house keeping supervisory committee was appointed to physically identify the ex-contract workers. The committee consisted of a Housekeeping superintendent, house keeping supervisors and caretakers. These officers had previously interacted with the Ex-contract workers on a regular basis by virtue of taking work from them. The committee was required to record details in the following:

Security of pay bills/acquaintance rolls for the period September to December, 1996 In order to ascertain continuity of a person in the employment of respondent Authority, on sweeping/cleaning/dusting job. Further in order to also ascertain whether the employee was on the rolls as on 6-12-1996.

It is further submitted that the management had never given an assurance to any of the ex-contract workers engaged in the field of sweeping, cleaning, and dusting that their services will be regularized. It is further submitted that the circular dated 23-4-1998 was issued only in view of the problems faced by the management in process of the regularization of genuine ex-contract workers. It is pertinent to mention here that there was no direction by the Hon'ble Supreme Court to the answering management to absorb all the contract labour which were working through various contractor.

It is respectfully submitted that consequent upon Hon'ble Supreme Court Judgment dated 6-12-1996, the answering management took all proper legal steps following due process. The claimants are not entitled to any relief whatsoever. It is pertinent to mention that the claimants were not found fit and genuine.

It is further submitted that the writ petition filed by the claimants could not stand on its legs and hence no relief was granted by the Hon'ble High Court. It is further submitted that the claimants is gambling with litigation and have filed the present claim to put undue pressure on the management.

It is further submitted that house keeping supervisor committee's consisted of house keeping Superintendent, Housekeeping Supervisor and Caretakers. It is further submitted that they were fully acquainted with genuine ex-contract workers. It is pertinent to mention that these claimant are not covered under the judgment dated

6-12-1996. As per the Judgment of the Hon'ble Supreme Court dated 6-12-1996, the management of Airport Authority of India was required to consider the regularization of only those ex-contract workers in the filed of sweeping/cleaning/dusting and were on rolls with ex-contract workers as on 6-12-1996. Airport Authority of India scrupulously implemented the judgment and regularized the services of genuine/bonafide ex-contract workers. It is further submitted that the claimants named in the claim statement have in fact no claim at all but are trying to circumvent the petition by one pretext or the other to gain undue advantage of regularization.

The claimants are not the genuine workers at all, hence the Chief Labour Commissioner (Central) has also not considered their claim.

In reply to this para it is further submitted that the claimants when realized that their writ petition would be dismissed they preferred to withdraw it to unnecessarily prolong the litigation before this Hon'ble Tribunal by filing fresh statement of claim. It is pertinent to mention that in one such matter bearing writ petition No. 4108 of 1998 the Hon'ble High Court has not granted any relief to the claimants who were not considered fit and genuine after scrutiny. The claimants are not the genuine contract workers and are not entitled for any relief whatsoever.

The workmen applicants have filed rejoinder. In their rejoinder they have reiterated the averments of their claim statement and have denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

It transpires from perusal of the order sheet that the case is pending since 2003. The workmen have filed affidavit in evidence on 10-05-2005 after several adjournments. Evidence of the applicants was concluded on 09-05-2006, thereafter the management was asked to file affidavit by 05-10-2006 but the management has failed to file any affidavit in evidence till today. The opportunity for filing affidavit was closed on 01-10-2007 and the argument of the workmen was heard.

From perusal of the pleadings of the parties the following issues arise for determination : —

1. Whether the workmen are entitled to reinstatement/regularization in view of the judgment of the Hon'ble Supreme Court dated 06-12-1996 (AIR India Statutory Corp. Vs. United Labour)?

2. Whether M/s. DIAL is necessary party?

3. Whether there is proper espousal of the dispute?

4. To what amount of back wages the workmen applicants are entitled?

5. Relief if any?

ISSUE NO. 1.

It was submitted from the side of the workmen applicants that they were not regularized in view of the judgment of the Hon'ble Supreme Court in Air India Statutory Corporation's case and their services were

terminated by order dated 03-08-1998. The workmen were illegally restrained from performing their duties by the management on 15-12-1998. These workmen have been working continuously. Their services have been illegally terminated on 15-12-1998.

It was further submitted that the management constituted House Keeping Supervisory Committee (HKSC) to ascertain whether the workmen were engaged on 06-12-1996 in view of the judgment of the Hon'ble Supreme Court. The act of the HKSC created and established by the management to identify the contractor's men who were on the rolls of the contractor on 06-12-1996 acted illegally and the order of the committee is absolutely illegal and arbitrary.

The case of the management is that consequent upon the judgment of the Hon'ble Supreme Court dated 06-12-1996 the eligibility for ex-contract workers was considered by the HKSC. The committee was appointed to physically identify the ex-contractor's men after scrutinizing the pay bills, acquaintance rolls for the period from September to December, 1996. The committee was asked to get personal knowledge by identification of the contract workers. The committee interviewed the workmen and cross-checked the authenticity with the attendance record etc. The tabulations were accordingly drawn by the said committee and recommended the names of ex-contractor's workmen would be regularized.

It is further case of the management that those ex-contractor workmen are to be given regularization who were on rolls on 06-12-1996. These workmen were not found on the rolls by the HKSC.

The management has not filed any document in regard to scrutiny and tabulation by the HKSC. The workmen have filed photocopies of documents and original Identity Cards. Photocopies have not been denied as not being photocopies of the originals.

The attendance sheets and other documents relating to the engagement of these workmen are with the management. The workmen can at best file photocopies of attendance sheets etc. as the originals are admittedly in the possession of the management. The management has not filed even photocopy document.

The substantial question involved in this case is whether the workmen were on the rolls of the management on 06-12-1996. The management has made scrutiny and it has been stated in the written statement that the workmen were not found on the rolls of the management, so their cases for regularization were not considered.

It was the duty of the management to file at least the records of the scrutiny made by the HKSC and the documents relied upon by the said committee. No such documents have been filed by the management. There is even no affidavit of the management.

It has been further submitted that the Hon'ble Supreme Court apprehending such a situation and to save the genuine contract workers directed in R.K. Panda & Others Vs. Sail & others 1994 (5) SCC 304 case that, if in

case, there is any dispute in respect of identity of any contract labour to be absorbed, such dispute shall be decided by the Chief Labour Commissioner (Central).

In the instant case it has nowhere been pleaded by the management that the decision of Chief Labour Commissioner (C) was taken in respect of the identity of any contract labour to be absorbed.

All the workmen have filed affidavit and they have been cross-examined in detail by the management.

It is the plea of the management that the committee did not find the workmen on the rolls of the management on the basis of pay rolls, attendance sheets etc. The workmen have filed photocopies of the attendance sheets. The photocopies have not been denied by the management not to be genuine photocopies of the attendance sheets, identity cards etc.

In the circumstances the photocopy becomes admissible in evidence as the originals are in the possession of the management. The management has not filed any document in support of the reply. The authenticity and legality of the order of the scrutiny of the HKSC have been challenged. It has been alleged that with mala fide intentions and ulterior motives the committee did not take genuine workmen. It took certain workmen for ulterior consideration and these workmen were not found entitled. There is no document regarding the scrutiny and tabulation of the committee and no affidavit of the management. The workmen have filed photocopies documents which have not been denied by the management. In such circumstances it is found proved that the workmen were on the rolls in December, 1996 and deserve regularization in view of the judgment of the Hon'ble Supreme Court dated 06-12-1996. The workmen are entitled to reinstatement/regularization w.e.f. 06-12-1996.

This issue is decided accordingly.

ISSUE NO. 2

This issue has been decided by order dated 10-08-07. The order will form part of this award. It has been held that M/s. DIAL is not a necessary/proper party and the Airport Authority of India is the only necessary and proper party.

This issue is decided accordingly.

ISSUE NO. 3.

The case of the management may be that there is no proper espousal of the case of the workmen by any union. It is true that this case has been filed by an Advocate. The dispute has not been espoused by the union. The dispute relates to the termination of the services of the workmen vide order dated 15-12-1998, so it is an individual dispute and espousal is not required.

In view of the insertion of section 2 (A) in ID Act, 1947 there is no need of espousal for termination, dismissal retrenchment and discharge. In the instant case the services of the workmen have been terminated by the management, so this dispute is covered under section 2 (A) of the I Act,

1947. No espousal is required in view of the judgment of the Hon'ble Supreme Court as Supreme Court directed the management to regularize the services of the contract workers who were on the rolls on 06-12-1996. The management did not regularize the services of these workmen, so they have raised this case. Espousal in such cases is not required, as such dispute becomes individual dispute in view of section 2 (A) of the ID Act, 1947.

This issue is decided accordingly.

ISSUE NO. 4.

The workmen have been working as sweepers. They are manual workers and they were engaged for the work of weeping, cleaning, dusting etc.

The workmen are manual workers. It cannot be said that they were sitting idle during their unemployment. They must be doing some job off and on. They are not employed in any establishment but they have disclosed the source of their livelihood. In the circumstances they may be presumed that they must be doing some sort of work.

In the facts and circumstances of the present case the workmen applicants are entitled to 25% back wages only.

This issue is decided accordingly.

ISSUE NO. 5

From the decision of the above 4 issues it becomes quite obvious that the services of the workmen have been terminated illegally and arbitrarily and the workmen are entitled to reinstatement along with 25% back wages. After reinstatement of the workmen the management will consider the case of these workmen afresh for regularization after giving proper opportunity to them.

It transpires from perusal of the order sheet that the management has sought several un-necessary adjournments. Several applications have been given by the management. The management has tried its best to delay the proceedings by filing frivolous applications. The workmen are also entitled to cost of Rs. 25, 000/- (Rs. Twenty Five Thousand).

The reference is replied thus:—

The action of the Management of Airport Authority of India, (IAD) New Delhi, in terminating the services of 7 workers namely Sh. Babu Lal-II, Shri Kaptan, Shri Natrajan Shri Mahadesh II, Smt. Usha, Shri Umesh Kumar and Ms. Imarti Safai karamcharies w.e.f. 3-8-98 after recruiting them on the basis of judgment of Honorable Supreme Court dt. 6.12.96 on the plea that their particulars could not be verified is just neither fair nor legal. The management should reinstate the above named workmen w.e.f. 06-12-1996 along with 25% back wages and cost of Rs. 25, 000/- within two months from the date of the publication of the award and consider their case for regularization.

The award is given accordingly.

Date 5-10-2007

R.N. RAI, Presiding Officer

नई दिल्ली, 12 अक्टूबर, 2007

का.आ. 3242.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट अधीनस्थ ऑफ इंडिया, नई दिल्ली के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय II, नई दिल्ली के पंचाट (संदर्भ संख्या आई. डी. सं. 104/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-10-2007 को प्राप्त हुआ था।

[सं. एल-11012/10/2000-आई आर(एम.)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 12th October, 2007

S.O. 3242.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. I.D. No. 104/2000) of the Central Government Industrial Tribunal/Labour Court II, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Airport Authority of India, New Delhi and their workmen, which was received by the Central Government on 12-10-2007.

[No. L-11012/10/2000-IR (M)]

N. S. BORA, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER : CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II, RAJENDRA BHAWAN,
GROUND FLOOR, RAJENDRA PLACE,
NEW DELHI**

Presiding Officer : R. N. Rai, ID.No. 104/2000

S.No.	Name of workmen	Since	Post	Name of the Contractor (s)	Date of Termination
1.	V. Vardha Rajan	1991	Sweeper	M/s. KVW & Co. M/s. Arun Enter	15-12-98
2.	Chinnu Swamy	1996	Sweeper	M/s. Sarvan Services	15-12-98
3.	Mahadesh	1989	Sweeper	M/s. Arun Enterprises M/s. Office care service	15-12-98
4.	P.K. Swami	1991	Sweeper	M/s. Office Care Service	15-12-98
5.	Raja	1996	Sweeper	M/s. Office Care Service	15-12-98

That it is pointed out that the Hon'ble Supreme Court of India passed an order/direction in "Air India Statutory Corporation etc. Versus United Labour Union and Another (AIR 1997 Supreme Court of India, 652) and International Airport Authority Employees Union and another etc. Versus Airport Authority of India and another etc. etc. (SLR - 1997, Supreme Court-24) thereby the Hon'ble Supreme Court of India directed to the above said management to take services of the workmen directly with the management i.e. Hon'ble Supreme Court of India abolished the contractor system of the above said management.

IN THE MATTER OF :

Shri V. Varadha Rajan & 4 Ors.,
S/o Shri Veera Samy,
R/o H. No. 203, JJ Colony,
Shakurpur, Delhi.

VERSUS

The Airport Director,
Airport Authority of India,
I.G.I. Airport,
New Delhi - 11003.

A.AWARD

The Ministry of Labour by its letter No. L - 11012/10/2000-IR(M) Central Government Dt. 20-9-2000 has referred the following point for adjudication.

The point runs as hereunder :

"Whether the action of the Management of Airport Authority of India, New Delhi, in not regularizing the services of 'S/Shri V. Varadarajan S/o Shri Veeraswamy, Chinnuswamy S/o Kondon, Mahadesh S/o Shinnuswamy, P. K. Swami, S/o Perumal and Raja S/o P.K. Swami, Sweepers in accordance with the judgment of the Hon'ble Supreme Court of India dated 6-12-96 given in Air India Statutory Corporation Vs. United Labour Union and another (AIR 1997 S.S. 652) and stopping them from their services w.e.f. 3-8-1998 is justified? If not, to what relief they are entitled?"

The workmen applicants have filed claim statement. In the claim statement it has been stated that the above said workmen had been working in the above said management since long times, details of which are given below :

That as per direction/judgment of the Hon'ble Supreme Court of India, the above said management directly took over the services of the said workmen including others from the months of February, 1997, and the above said workmen had been working since 15-12-1998 (date of illegal termination).

That the above said management has issued an office order vide letter No. AAD/PERS/38(1)/98/62 on August. 3. 1998 thereby deciding to discontinue the services of some workmen including the above said workmen and the said workmen have been illegally restrained to perform their duties by the said management on 15-12-1998.

It is submitted that the said workmen had been working since long time with the management continuously, sincerely, honestly, whole-heartedly faithfully and have not given any chance of complaint to the management in the entire service tenure.

It is further submitted that after taking over of their services in the management, directly in compliance of the order of the Hon'ble Supreme Court of India, the workmen have been deemed to be the Employees of the management directly and the mediation of or the question of the contractor ship has been abolished with the compliance and direction of the said Order/Judgment of the Appex Court.

That in the ambit and perview of the above said order regarding illegal termination of the said workmen, is highly illegal, unlawful and without compliance of the due process of law on 15-12-1998 intentionally and deliberately. Only with intention to harass and victimize the said workmen.

That the abovesaid management illegally terminated the services of 34 workmen vide letter No. AAD/PERS/38(1)/98/62 but the said management reinstated the services of the workmen mentioned at Sl. No. 29, 30, 31 and 32 in the said letter. This act of the said management regarding the taking back of the services of the above workmen is an act of step-motherly treatment, and is highly illegal, arbitrary and against the canons of law and natural justice.

That by the act of the said management the workmen became unemployed and are willing to join the services of the management.

That the workmen having been disappointed have served the legal notice of demand to the management on 13-8-1999 by Speed-post but the management did not reply to the same intentionally and deliberately.

That the above said workmen have filed their statement claim before the Conciliation Officer (Central) and the same is assigned to Shri G.S. Srivastava, ALC-Cum-Conciliation Officer (Central) where the management has put its appearance and filed W.S. thereby adapted the ground of that the said workmen did not identify by House-Keeping, Supervisors Committee of the management and has not turned up before the same Committee for further clarification. The act of the House-Keeping Supervisors committee which has been created and established by the management is not proper and the same is bad and against the eye of law due to the said management has taken over the services of the said workmen directly and has further victimized and deprived the workmen through the stepmotherly and illegal acts and behavior by not reinstating the services of the workmen in question in conciliation proceedings. Therefore, the same matter has been referred by Appropriate Government and the same is pending before this Hon'ble Court for adjudication.

That the said workmen have become unemployed since dated 16-12-1998 till date and willing to join the services with the management.

The Management has filed written statement. In the written statement it has been stated that the present claim of the claimant workmen is liable to be dismissed because the claimant workmen have misrepresented before this

Hon'ble Tribunal about their entitlement to be in the services of the Answering Management, knowing very well that on scrutiny of their respective applications and supporting they had been Found ineligible and could not be regularized in the services of the Answering Management. On this score alone the claim of the claimant workmen be dismissed.

Neither the workmen nor the Management can go beyond the decision of the Hon'ble Supreme Court of India in the case titled Air India statutory Corporation Versus United Labour Unions etc. for regularization of services of the workers under the contractor in the field of sweeping, cleaning, dusting and watching the building wherein the cut off date is given as 6th December 1996. The plaintiff being not qualified as per the decision of the Hon'ble Supreme Court of India should not have filed the present claim which deserves dismissal.

That the claimant workmen were never employed by the Answering management as such there is no relationship of employer and employee between the claimant workmen and the Answering Management as such the claim of the workmen is not maintainable and as such the same is liable to be dismissed.

It is denied that the workmen as mentioned in the para under reply had been working with the Answering Management since long time. It is pertinent to mention here that the workmen to the present statement of claim have themselves stated in the para under reply that they were working at the post of sweeper with the contractors for a long time and not with the Answering Management.

It is pertinent to mention here that the said decision of the Hon'ble Supreme Court is for regularization of workers working as on 6th day of Dec., 1996 for the Answering Management through contractors in the field of sweeping, cleaning, dusting and watching the buildings only.

It is submitted that consequent upon judgment of the Hon'ble Supreme Court dated 6-12-96, ex-contractor workers working in the terminal building engaged in the field of sweeping, cleaning and dusting were taken under the care of AAI w.e.f. 1-2-97 pending detailed scrutiny to ascertain the eligibility for regularization. House keeping department of the Answering Management was instructed to obtain affidavits from all the persons and forward the same to the department of personnel. These affidavits were forwarded to Department of personnel by EHK - II in May 1997. After this all the ex-contract workers those who were on the rolls as on 6-12-96 and whose affidavits had been received by the Department of Personnel were called to appear before the committee of officers constituted by the Airport Director to elicit the data from the ex-contract workers regarding their experience, age etc. A medical board was also constituted consisting of the Medical Officers of AAI (IAD) and a medical officer from the Government Department for medically examining all the workers with respect of their fitness condition and age.

After this, a committee consisting of House Keeping supervisors were appointed to physically identify the excontract workers.

Shri V. Varadha Rajan S/o Shri Veeraswamy

As the cut date of the Hon'ble Supreme Court was given as 6th December, 1996 hence attendance sheet and the pay bill of the contractor for the month of December, 1996 were taken for consideration and scrutiny. On scrutiny of the documents furnished in respect of V. Varadharajan, it was found that his name entered into records of the contractor only on 17-12-1996 and during the month of December, 1996 he performed duty only for 6 days. More so, the claimant workman could not be identified by the House keeping Supervisors committee. Even in the second stage when he was personally interviewed/seen by the HKS committee it could not identify his person.

It is cleared that the name of claimant workmen No. 1 V. Vardha Rajan was inserted subsequently to get benefit of the judgment of the Hon'ble Court. Hence not covered under the Hon'ble Supreme Court judgment as cut off date 6th December, 1996. His case was rejected and his services were dispensed with on 3-8-98.

Shri Chinnuswamy S/o Shri Kodan

On perusal and scrutiny of records it was found that nobody in the name of Chinnuswamy has worked at Airport with any of the contractors. The workman could not be identified by the House keeping Supervisors committee. At the time of personal appearance of the workman his identification was also not confirmed by the committee and hence his case was rejected and his services were dispensed with on 3-8-98.

Shri Mahadesh S/o Shri Shinnuswamy

The name of the workman was not found in the pay bill nor in the attendance sheet for the month of December 1996 and so not covered under the Hon'ble Supreme Court judgment for regularization, he was also discontinued on 3rd August, 1998 from reporting on job.

Shri. P. K. Swamy S/o Shri Perumal and Shri Raja S/o Shri. P. K. Swamy:—

On scrutiny of the records and documents of these two workmen it was revealed that these two persons have never worked at Airport with any of the contractors and no records are available with the Authority and thus these persons being totally forged and outsiders, they were not taken under the care of the AAI (IAD) w.e.f. 1-2-97 and as such these two persons have no claim for regularization in the organization of the Answering Management.

The claimant workmen have wrongly stated that they had been illegally restrained to perform their duties by the Answering Management on 15-12-96. the fact is that the services of the claimant workmen No. 1 to 3 duty as worker under care was discontinued on 3rd Aug., 1998. It is wrong and denied that the claimant workmen had been working since long time with the Answering Management. The workmen have wrongly represented before this Hon'ble Tribunal that they were working as sweeper with the respective contractors, they had become regular employee directly under the Answering Management w.e.f. 6-12-96 in terms of the judgment of the Hon'ble Supreme Court in view of the hereinbefore mentioned submissions as has already been clarified hereinbefore the proceeding paras

and the claimant workmen No. 4 to 5 have never worked at the Airport and as such were not taken under the care of the AAI (IAD) so their claim is liable to be rejected/ dismissed.

It is denied that the office order dated 3rd Aug.-1998 of the Answering Management thereby deciding to discontinue the services of the claimant workmen No.1 to 3 is illegal, unlawful and without compliance of the due process of law and is with the intention to harass of law and is with the intention to harass and victimize the claimant workmen. It is submitted that the decision to discontinue the services of the claimant workmen had been taken by the Answering Management after due application of mind.

It is denied that the Answering Management has ever acted in step-motherly manner. It is pertinent to mention here that each and every case of the workmen has been dealt on the basis of its own merits.

It is denied that the workmen have become unemployed due to the act of the Answering Management. That the contents of para No. 8 of the statement of claim are wrong, false and hence denied. It is denied that the workmen served the legal notice of demand to the Answering Management on 13-8-99.

It is denied that the House Keeping Supervisor's Committee which had been created and established by the Answering Management was not proper and the same was bad and against the eyes of law. It is denied that the claimant workmen are unemployed since dated 16-12-98.

The workmen applicants have filed rejoinder. In their rejoinder they have reiterated the averments of their claim statement and have denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

It transpires from perusal of the order sheet that the case is pending since 2000. The workmen have filed affidavit in evidence on 18-01-2005 after several adjournments. Evidence of the applicants was concluded on 19-10-2006, thereafter the management was asked to file affidavit by 05-10-2006 but the management has failed to file any affidavit in evidence till today. The opportunity for filing affidavit was closed on 1-10-2007 and the argument of the workmen was heard. From perusal of the pleadings of the parties the following issues arise for determination :—

1. Whether the workmen entitled to are reinstatement/ regularization in view of the judgment of the Hon'ble Supreme Court dated 6-12-1996 (AIR India Statutory Corp. Vs. United Labour) ?
2. Whether M/s. DIAL is necessary party?
3. Whether there is proper espousal of the dispute?
4. To what amount of back wages the workmen applicants are entitled ?
5. Relief if any?

ISSUE No. 1

It was submitted from the side of the workmen applicants that they were not regularized in view of the judgment of the Hon'ble Supreme Court in Air India

Statutory Corporation's case and their services were terminated by order dated 03-08-1998. The workmen were illegally restrained from performing their duties by the management on 15-12-1998. These workmen have been working continuously. Their services have been illegally terminated on 15-12-1998.

It was further submitted that the management constituted House Keeping Supervisory Committee (HKSC) to ascertain whether the workmen were engaged on 06-12-1996 in view of the judgment of the Hon'ble Supreme Court. The act of the HKSC created and established by the management to identify the contractor's men who were on the rolls of the contractor on 06-12-1996 acted illegally and the order of the committee is absolutely illegal and arbitrary.

The case of the management is that consequent upon the judgment of the Hon'ble Supreme Court dated 06-12-1996 the eligibility for ex-contractor workers was considered by the HKSC. The committee was appointed to physically identify the ex-contractor's men after scrutinizing the pay bills, acquaintance rolls for the period from September to December, 1996. The committee was asked to get personal knowledge by identification of the contract workers. The committee interviewed the workmen and cross-checked the authenticity with the attendance record etc. The tabulations were accordingly drawn by the said committee and recommended the names of ex-contractor's workmen would be regularized.

It is further case of the management that those ex-contractor workmen are to be given regularization who were on rolls on 6-12-1996. These workmen were not found on the rolls by the HKSC.

The management has not filed any document in regard to scrutiny and tabulation by the HKSC. The workmen have filed photocopies of documents and original Identity Cards. Photocopies have not been denied as not being photocopies of the originals.

The attendance sheets and other documents relating to the engagement of these workmen are with the management. The workmen can at best file photocopies of attendance sheets etc. as the originals are admittedly in the possession of the management. The management has not filed even photocopy document.

The substantial question involved in this case is whether the workmen were on the rolls of the management on 6-12-1996. The management has made scrutiny and it has been stated in the written statement that the workmen were not found on the rolls of the management, so their cases for regularization were not considered.

It was the duty of the management to file at least the records of the scrutiny made by the HKSC and the documents relied upon by the said committee. No such documents have been filed by the management. There is even no affidavit of the management.

All the workmen have filed affidavit and they have been cross-examined in detail by the management.

It is the plea of the management that the committee did not find the workmen on the rolls of the management on the basis of pay rolls, attendance sheets etc. The workmen have filed photocopies of the attendance sheets. The photocopies have not been denied by the management not to be genuine photocopies of the attendance sheets, Identity cards etc.

In the circumstances the photocopy becomes admissible in evidence as the originals are in the possession of the management. The management has not filed any document in support of the reply. The authenticity and legality of the order of the scrutiny of the HKSC have been challenged. It has been alleged that with mala fide intentions and ulterior motives the committee did not take genuine workmen. It took certain workmen for ulterior consideration and these workmen were not found entitled. There is no document regarding the scrutiny and tabulation of the committee and no affidavit of the management. The workmen have filed photocopies documents which have not been denied by the management. In such circumstances it is found proved that the workmen were on the rolls in December, 1996 and deserve regularization in view of the judgment of the Hon'ble Supreme Court dated 6-12-1996. The workmen are entitled to reinstatement/regularization w.e.f. 6-12-1996.

This issue is decided accordingly.

ISSUE No. 2

This issue has been decided by order dated 10-08-2007. The order will form part of this award. It has been held that M/s. DIAL is not a necessary/proper party and the Airport Authority of India is the only necessary and proper party.

This issue is decided accordingly.

ISSUE No. 3

The case of the management may be that there is no proper espousal of the case of the workmen by any union. It is true that this case has been filed by an Advocate. The dispute has not been espoused by the union. The dispute relates to the termination of the services of the workmen vide order dated 15-12-1998, so it is an individual dispute and espousal is not required.

In view of the insertion of Section 2 (A) in ID Act, 1947 there is no need of espousal for termination, dismissal retrenchment and discharge. In the instant case the services of the workmen have been terminated by the management, so this dispute is covered under Section 2(A) of the ID Act, 1947. No espousal is required in view of the judgment of the Hon'ble Supreme Court as Supreme Court directed the management to regularize the services of the contract workers who were on the rolls on 6-12-1996. The management did not regularize the services of these workmen, so they have raised this case. Espousal in such cases is not required, as such dispute becomes individual dispute in view of Section 2 (A) of the ID Act, 1947.

This issue is decided accordingly.

ISSUE No. 4.

The workmen have been working as sweepers. They are manual workers and they were engaged for the work of sweeping, cleaning, dusting etc.

The workmen are manual workers. It cannot be said that they were sitting idle during their unemployment. They must be doing some job off and on. They are not employed in any establishment but they have disclosed the source of their livelihood. In the circumstances they may be presumed that they must be doing some sort of work.

In the facts and circumstances of the present case the workmen applicants are entitled to 25% back wages only.

This issue is decided accordingly.

ISSUE No. 5

From the decision of the above 4 issues it becomes quite obvious that the services of the workmen have been terminated illegally and arbitrarily and the workmen are entitled to reinstatement along with 25% back wages. After reinstatement of the workmen the management will consider the case of these workmen afresh for regularization after giving proper opportunity to them.

It transpires from perusal of the order sheet that the management has sought several unnecessary adjournments. Several applications have been given by the management. The management has tried its best to delay the proceedings by filing frivolous applications. The workmen are also entitled to cost of Rs.25,000 (Rs. Twenty Five Thousand).

The reference is replied thus:

The action of the Management of Airport Authority of India, New Delhi, in not regularizing the services of S/Shri V. Varadarajan S/o Shri Veeraswamy, Chinnuswamy S/o Kondon, Mahadesh S/o Shinnuswamy, P.K. Swami, S/o Perumal and Raja S/o P.K. Swami, Sweepers in accordance with the judgment of the Hon'ble Supreme Court of India dated 06-12-1996 given in Air India Statutory Corporation Vs. United Labour Union and another (AIR 1997 S.S. 652) and stopping them from their services w.e.f. 03-08-1998 is not justified. The management should reinstate the above named workmen w.e.f. 6-12-1996 along with 25% back wages and cost of Rs.25,000 within two months from the date of the publication of the award and consider their case for regularization.

The award is given accordingly.

Date: 05-10-2007.

R. N. RAI, Presiding Officer

नई दिल्ली, 12 अक्टूबर, 2007

का.अ. 3243.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. पी. सी. एल. भटिन्डा के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अंतर्गत में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार

औद्योगिक अधिकरण/भ्रम न्यायालय II, चंडीगढ़ के पंचायत (संदर्भ संख्या आई. डी. सं. 394/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-10-2007 को प्राप्त हुआ था।

[सं. एल-30012/136/98-आई आर(बी-1)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 12th October, 2007

S.O. 3243.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. I.D. No. 394/2005) of the Central Government Industrial Tribunal/Labour Court II, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BPCL, Bhatinda and their workmen, which was received by the Central Government on 12-10-2007.

[No. I-30012/136/98-IR(B-I)]

N. S. BORA, Desk Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT - II, CHANDIGARH**

Presiding Officer: Shri Kuldip Singh

CASE I.D. NO : 394/2k5

Registered on: 19-08-2005

Date of Decision: 12-07-2007

Mewa Lal Yadav S/o Shri Harbans Singh Pradhan, Gali No.1, Near Bangi Nagar, BHATINDA.

PETITIONER

Versus

The Depot Manager, BPCL, Foods Mandi, Bhatinda

RESPONDENT

APPEARANCE

For the Workman Shri Saravjit Singh
AR

For the Management Shri V. K Sharma

AWARD

The reference, which is required to be adjudicated upon by this Tribunal, has come from Ministry of Labour, Government of India and is received in this Tribunal under their Order No. I-30012/136/98-IR(B-I) dated 30th March, 1999. It reads as under:

"Whether the action of the Management through depot Manager, BPCL, Bhatinda in not allowing to continue to work as Mali to Shri Mewa Lal Yadav w.e.f. 1st January, 1997 is legal and just? If not to

what relief the concerned workman is entitled to and from which date?"

The workman has submitted his claim in the shape of Claim Statement and the Management, in the shape of Written Statement. The workman has further supported his claim by filing the rejoinder and affidavit in support of the pleadings. The Management has supported their claim with the affidavit of Shri Sanjiv Kumar, their witness. They have also placed on record photo copies of the contract and of other documents. The Management has also filed the affidavit of their another witness A.P.S Ahluwalia duly supported by the photo copies of a number of cash payment vouchers, register of Employee and other documents. The workman has appeared as a witness and the Management has produced Shri A.P.S Ahluwalia and Devinder Prasad as their witnesses.

Stated in brief, the claim of the workman is that he had been employed as Mali by the Management on 1st Dec., 1993 and his services were terminated on 1st January, 1997, without any notice, charge sheet, inquiry or compensation. That he was working on a permanent job, drawing Rs. 2500 as his salary. He was also member of Employees PF. He has further claimed that the Management retained his juniors but terminated his services. They also engaged fresh hands, like Jagdish Singh who has been employed as Mali and thereby have violated the provisions of the Act. His further claim is that he is unemployed since the day of his termination.

The Management has opposed the claim of the workman stating that there never existed a relationship of employer and employee between the parties. According to them Shri Mewa Lal had entered into a contract with the Management for the maintaining of lawn and plants besides for providing drinking water to the establishment at Bhatinda. The contract was for service, therefore, the workman did not fall in the category of the workman and the reference made is bad in law. On merits it is their submission that the claim made by the workman is totally wrong and baseless. Since the Management did not have any post of Mali, in their establishment, therefore, the engagement of the workman as Mali on 1st Dec., 1993, was, therefore, out of question. According to them they had awarded the contract of maintaining the gardens/lawns and plants of the Management and for the supply of pesticide and fertilizer to Messrs. Navjot Enterprises, for a period from 1st August, 1993 to 31st July, 1994. Shri Sanjeev Kumar, the proprietor of the said firm had informed the Management that he has engaged Shri Mewa Lal as an associate of his firm and requested for issue of entry pass to the said Mewa Lal, to enter premises of the Management since the Management had stores of highly inflammable products, therefore, the ingress and egress of the depot was to be regulated to ensure the entry of only authorized person. Therefore, the entry pass was given to the workman in that contingency but that could not create a relationship of employee and employer of the parties.

According to them, the payment for contract service used to be made to Messrs. Navjot Enterprises, whose

agreement was renewed till 31st March, 1996. Messrs. Navjot Enterprises informed the Management that they will not be in a position to continue with the contractual relationship thereafter. Thereupon fresh quotations were invited. Among the three contenders, the contract was allotted to Shri Mewa Lal, vide order dated 19th May, 1996 for the period 1st April, 1996 to 31st March, 1997 since his quotation was the lowest. The contractual relationship with the earlier firm ended. There never existed a relationship of employee and employer between the workman and the Management. They got engaged in the contract for service and not of service. The Management neither put Mewa Lal in their service nor there was any question of termination of his services by them. Even otherwise the Management did not have any post of Mali on their establishment in any units of it. Moreover the work of maintenance of garden and lawns was a small job of two hours and almost the same time was required for providing drinking water, that too twice or thrice a week. Denying the claim, made by the workman in paras 4, 5 and 6 of his statement of claim it is stated by them that whatever payment was made to Shri Mewa Lal, was against a contractual relationship. They further denied that they had engaged him as Mali in their Bhatinda Branch. They submitted that the workman is not entitled to any relief.

The workman in the rejoinder denied the claim of the Management that he had worked for the Management under a contract and he was paid contractual charges. He asserted that the Management had engaged persons after the disengagement of the workman.

I have gone through the file and have also considered the submission made by the parties.

Stated in brief the claim of the workman is that he was engaged by the workman as Mali on 1st Dec., 1993 and he served them upto 1st January, 1997 when his services were terminated without any notice, charge sheet or inquiry and without any compensation. His further claim is that he was engaged as a permanent Mali and was drawing 1255/- as his wages; and that he was the member of the employees PF. The other claim made by him is that the Management retained his juniors and also engaged fresh hands such as Jagdish Singh after the termination of services and for all these reasons his disengagement by the Management was illegal, unjustified, therefore, the same is required to be quashed. The Management has denied all these claims of the workman and has supported their version with their own evidence.

In support of his claim the workman has placed on record a photo copy of documents, which according to him, is I-Card, issued by the Management and which according to the Management is only an entry pass. Since the workman could not produce the original I-Card, therefore, the copy was marked as "A". The copy of card contains the photograph of the workman and on the back, it is titled as "ID/Entry Pass." The word "ID" are clearly scraped by drawing a long line and apparently it looks to be an "entry pass." The Management, in the Written Statement explained the circumstances in which the "entry

pass" was issued in favour of the workman. According to them they had allotted the contract of maintenance of gardens/lawns besides supply of pesticide and fertilizer to Messrs Navjot Enterprises and Sanjeev Kumar, the proprietor of the said firm requested the Management to issue an entry pass to Shri Mewa Lal enabling him to enter the premises of the Management. They further claimed that since the Management had stores inside the premises containing highly inflammable products, therefore, the entry of any person in premises was to be monitored so as to avoid any mishap. It was in those circumstances that an "entry pass" was issued in favour of the workman. They categorically denied that the card issued was not an I-Card, as the workman was not their employee. They have supported these contentions with the copy of letter dated 21st January, 1994, marked as ME-1/12 issued by Sanjeev Kumar proprietor of Navjot Enterprises and addressed to Deputy Manager Management. In the said letter, he informed the Management that he has engaged Mewa Lal as his associates. He requested that an entry pass be issued in favour of Mewa Lal for executing the work. He also forwarded the photograph of Shri Mewa Lal for this purpose. The authority directed to issue an entry permit in favour of Mewa Lal on behalf of Navjot Enterprises. Shri Sanjeev Kumar of Navjot Enterprises also tendered his affidavit in support of the claim of the Management duly attested by an Oath Commissioner, Chandigarh. In his affidavit, he claimed to have engaged Shri Mewa Lal as his associates. He further claimed that he has deposited contribution of ESI in the name of Shri Mewa Lal; and that in the year 1996 fresh quotations were called and besides him, Mewa Lal also submitted separate quotation and that quotation, being the lowest was accepted by the Management. No doubt Shri Sanjeev Kumar did not appear as a witness to provide an opportunity to the workman to cross-examine him, but the workman also neither rebutted the assertions made in the affidavit, by his own affidavit or of any of his witnesses. He also produced no evidence to rebut that the Messrs Navjot Enterprises had registered him as their employee with the ESI Corporation or that whatever is claimed by Sanjeev Kumar is nothing but a lie.

The Management has also placed on record a photo copy of an agreement marked as ME-2/1 which supports the claim of the Management that the contract of maintenance of lawns at Bhatinda was given to Messrs Navjot Enterprises for an amount of Rs.13,000/-, payable by 12 monthly installments of Rs. 1350/-. The contract was extended further on the same terms and conditions. The Management has also placed on record photo copy of cash payment vouchers which read that the payments were made to Sanjeev Kumar Gupta during the period 1993 to 1994. There are also photo copies of contract marked as ME-1/21 to ME-1/22, which reads that the contract of watering was given to Mewa Lal C/o BPCL, Bhatinda for the period 1st April, 1996 to 21st March, 1997, for a consideration of Rs.1600. They have also placed on record

the photo copies of cash payment vouchers by which Shri Mewa Lal was paid different amount on 15th June, 1996, 8th July, 1996, 4th August, 9th Sep. These documents supports the claim of the Management that there was contractual relationship between the workman and the Management. There is absolutely no evidence to show that there was the relationship of employer and employee between the parties to this reference, as is claimed by the workman.

There is another cogent evidence supporting the claim of the Management. The Management examined Shri Devinder Prashad, a handwriting expert, as their witness. Shri Parshad examined the question of thumb impressions on documents tendered on the direction of the court with the thumb impressions taken from the workman in the court, which the witness marked as Q 1 to Q 7 question thumb impression and compared with S-1 to S-4. S-1 and S-2 were the left hand thumb impression of the workman taken in the court and S-3 and S-4 were the right thumb impression was also taken again in the Court. After giving reasons for his conclusions in the report, Exhibit M-9, he stated that as per his conclusions thumb impression marked as S-3 and S-4 were the right hand thumb impression of Shri Mewa Lal and that the questioned impressions 2 to 7 were the standard thumb impressions similar to S-1 and S-2 which were of Shri Mewa Lal. Against this evidence the workman has stated nothing nor has produced any evidence to show that the statement of expert was wrong, manipulated and patently unbelievable.

As stated earlier the workman has not produced any evidence, much less cogent evidence, to show that there existed a post of Mali with the Management against which he was appointed. He has also produced no evidence to show that his engagement as Mali was in accordance with the settled procedure currently with the Management to make appointments; and that he was recruited after due process and competition. There is rather no evidence to show that any procedure was followed to recruit the workman by the Management. There is equally no evidence to show that the services of the workman were terminated by the Management w.e.f. 1st January, 1997. The workman, therefore, has utterly failed to show that he was engaged by the Management as Mali; and that the Management had disengaged him from service on 1st January, 1997, without following the provisions of law and rules, therefore, his disengagement was bad in law. The evidence available on record rather shows that the relationship of workman was through the contract and before that he had worked for the Management as an employee of the Management Navjot Enterprises. In view of this the reference is answered against him holding that he is not entitled to any relief. Let a copy of this award be sent to the appropriate Government for necessary action and the file be consigned to records after due completion.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 12 अक्टूबर, 2007

का.आ. 3244.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पारादीप पोर्ट ट्रस्ट, जगतसिंगपुर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 190/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-10-2007 को प्राप्त हुआ था।

[सं. एल-38011/3/98-आई.आर.(एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 12th October, 2007

S.O. 3244.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 190/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Paradip Port Trust, Jagatsingpur and their workman, which was received by the Central Government on 12-10-2007.

[No. L-38011/3/98-IR(M)]

N. S. BORA, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
BHUBANESWAR**

Present

Shri N. K. R. Mohapatra,
Presiding Officer,
C. G. I. T.-cum-Labour Court,
Bhubaneswar.

TR. Industrial Dispute Case No. 190/2001**Date of Passing Award-29th August, 2007****Between**

The Management of the Chairman,
Paradip Port Trust,
Paradip, Jagatsingpur-754 142.

1st Party-
Management

And

Their Workmen,
Represented through,
The General Secretary
Paradip Port Worker's/
Union, Qr. No. D-5,
"V" Point, Paradip Port,
Jagatsingpur,

2nd Party-Union.

APPEARANCES

None

For 1st Party-
Management.

None

For 2nd Party-Union.

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication *vide* their Order No. L-38011/3/98/IR(M), dated 3-9-1998 :—

"Whether the action of the Management of Paradip Port Trust in putting the Senior Persons in Lower Pay scales than Junior persons who have been promoted between 30-6-1995 to December 1995 after being deprived the pay benefit as per Ministry of Surface Transport letter dated 19-9-1995 is justified? If not, to what relief the employees are entitled to?"

2. After receipt of the above reference the parties filed their Claim Statement and Written Statement and accordingly necessary issues were framed. When the case was posted from time to time for hearing the Union almost on every occasion filed petition for time instead of adducing evidence. While this being the position on 6-11-2006 a similar petition for time was filed by the Union stating that they are in the process of effecting compromise. Thereafter on 5-2-2007 and 21-2-2007 similar petitions were filed by the Union for time on self same ground. Thereafter on 12-6-2007 the Union again came up with a petition for time stating that they are going to settle the dispute outside the court. Though on this occasion time was granted till 13-8-2007, neither the Union nor the Management could take any step on that day or on the following dates. Since both parties have withdrawn themselves from taking step since 13-8-2007 it pre-supposes that, they have perhaps compromised the matter in the meantime outside the Court and therefore there is no other go but to pass an award holding the Industrial Dispute as solved and nonest.

3. The reference is answered accordingly.

N. K. R. MOHAPATRA, Presiding Officer

नई दिल्ली, 12 अक्टूबर, 2007

का.आ. 3245.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टिस्को लिमिटेड, सिंहभूम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 6/2005) को प्रकाशित करती है; जो केन्द्रीय सरकार को 12-10-2007 को प्राप्त हुआ था।

[सं. एल-29012/111/2000-आई.आर.(एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 12th October, 2007

S.O. 3245.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 6/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar now as shown in the Annexure in the

Industrial Dispute between the employers in relation to the management of TISCO Ltd., Singhbhum and their workman, which was received by the Central Government on 12-10-2007.

[No. L-29012/111/2000-IR (M)]

N. S. BORA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, BHUBANESWAR

Present

Shri N. K. R. Mohapatra,
Presiding Officer,
C. G. I. T.-cum-Labour Court,
Bhubaneswar.

Industrial Dispute Case No. 6/2005

Date of Passing Award-31st August, 2007

Between

The Management
of the General Manager (OMQ),
TISCO Ltd., P. O. Noamundi,
Singhbhum-833217

1st Party-
Management

And

Their Workman,
Shri Bhubaneswar Thakur,
Qr. No. FR-2/3, New Camp
TISCO Ltd., At./Po. Joda,
Dist. Keonjhar (Orissa)-758 001.

2nd Party-Workman.

APPEARANCES

Mr. M. Z. M. Ansari,
Authorised Representative

For 1st Party-
Management.

Shri Bhubaneswar Thakur

For Himself- 2nd
Party
Workman.

AWARD

The Government of India in the Ministry of Labour, in exercise of Powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No.L. 29012/111/2000-IR (M), dated 28-01-2005 :

"Whether the action of the Management of Joda Iron Mines of TISCO Ltd., Joda in terminating the services of Shri Bhubaneswar Thakur, Driver-cum Havildar on Medical Separation Scheme with effect from 2-11-1999 is legal and justified? If not, what relief the workman is entitled to?"

1. The admitted background of the case as narrated by both parties is that while the disputant workman was

working as a Driver-cum-Havildar in the establishment of the Management on 29/30-7-1998 in "C" shift he was attacked and injured by some miscreants at about 3 A.M. for which he was removed to the Management's nearby TISCO Hospital at Joda and was discharged on 1-8-1998 after medical treatment with an advise to take rest for three days expiring on 4-8-1998, declaring him unfit during the said period. During these unfit period he got his left arm fractured on 3-8-1998 due to a fall in his bathroom. Therefore, he was again admitted in the same hospital, which for better treatment referred him to TISCO hospital at Jamshedpur. He remained there under treatment from 4-8-1998 and was discharged on 21-8-1998. After his above discharge he remained under the treatment in the company's hospital at Joda as he had already been declared sick earlier for six weeks from 4-8-1998. During treatment the hospital at Joda again referred him to the TISCO Hospital at Jamshedpur and he was admitted there on 14-9-1998. While discharging him on 16-9-1998 he was advised to appear before a Special Medical Board in respect of his fitness as allegedly he had developed some mental problem during his treatment period. Consequently he appeared before the Medical Board on 17-9-1998 and was declared unfit for another six months on psychiatric ground. After expiry of six months when he appeared before the Medical Board to test his fitness he was found not cured of his mental ailment and therefore on 4-3-1999 he was declared further unfit for another six months.

3. It is here the workman has alleged that while he was undergoing treatment at TISCO hospital at Jamshedpur for treatment of his fractured arm he complained to the Managing Director of the hospital about taking of diet food by some outsiders related to the Doctors of the hospital. On this issue the Management took a vindictive attitude and by hatching a strategy declared him unfit from time to time and ultimately declared him mentally unsound even though he was otherwise fit. It is further alleged by the workman that while declaring him mentally unsound the last Medical Board in their order dated 4-3-1999 further recommended to settle his case medically and accordingly he was terminated from service under Medical Separation Scheme with effect from 2-11-1999.

4. As against the above stand of the workman the Management contended that after the workman was declared last as mentally unsound by the Medical Board on 4-3-1999 for a period of six months, the workman submitted a special application opting to quit the job under Medical Separation Scheme. The Management having accepted the same on 2-11-1999 paid all his dues on 6-11-1999. As during the said period one petition filed by the workman before the Asst. Labour Commissioner (Central) was pending, the workman addressed a letter to the Regional Labour Commissioner (Central) to drop the application saying to have already taken retirement under the Medical Separation Scheme. It is further alleged by the

Management that after receiving all his dues as was payable to him under the scheme the workman raised an Industrial Disputes before the Asst. Labour Commissioner (Central) which resulted in a reference vide I.D. Case No. 81/2001. In the said reference the Tribunal held that the workman was entitled to get the salary and other benefits for the medical un-fit period from 30-7-1998 till the date of his retirement i.e. 6-11-1999. It is further alleged that after payment of all his dues as was payable under the aforesaid award the workman again filed a Writ petition before the Hon'ble High Court vide W.P.(C) No. 7240/2003 challenging the aforesaid award of the Tribunal on the ground that the same has been disposed of while his representation to modify the reference was pending with the Government. It is stated that when the Hon'ble Court at the admission stage passed an order on 9-7-2004 directing the Ministry of Labour, Government of India to look into the grievances of the workman, and pass appropriate order in accordance with law, the present reference came as an outcome thereof. In nutshell it is averred by the Management that since the workman has left the job under the Medical Separation Scheme amounting to voluntary retirement, the reference in its present form is not maintainable nor the workman is entitled for any relief.

5. After receipt of the written statement of the Management in the above stated manner the workman filed a rejoinder to his claim petition pleading several other new facts which he had suppressed in his original claim statement. It is contended that he had never asked for settlement voluntarily under the Medical Separation Scheme but the Management having taken his signature clandestinely on various papers utilized the same for terminating him from service under the above scheme. It is claimed that when he was mentally fit as per the subsequent report of the Psychiatric Deptt. of the S.C.B. Medical College, Cuttack, where there was any scope for him to opt for voluntary retirement, under the scheme.

6. On the basis of the above pleadings of the parties the following issues were framed.

ISSUES

1. Whether the reference is maintainable?
2. Whether the workman has taken voluntary retirement under the Medical Separation Scheme and whether the same amounts to termination within the definition of the term?
3. Whether the workman is entitled for any relief?
7. The workman besides examined himself in support of his case has produced certain documents marked from Ext.-A to Ext.-Q. The Management on the other hand has also examined three of his witnesses besides producing documents marked Ext.-1 to 14. Ext.-2 to 7, 7/1 to 7/3, 8, 8/1, 8/2, 9/1, 10, 10/1 to 10/5, 11 and 12.

ISSUE NO. II

8. Under the admitted facts of the parties as detailed earlier it is to be seen under this issue as to whether the workman had taken retirement voluntarily under the Medical Separation Scheme or whether it was stage managed by the Management. It is also to be seen whether the action taken by the Management would amount to retrenchment.

9. The Medical Separation Scheme marked (Ext.-2) which was introduced in the year 1998 in consultation with the Union speaks that the same is applicable to a permanent employee who has put in a minimum of five years of continuous service and who is below 58 years of age and who has been found unfit for his job (including IOW/ICD case) and those fit for alternative job as also those of the employees who are declared unfit for duty under periodical medical examination on their opting to avail the benefit of the Scheme. The benefits granted under the scheme are in lieu of existing benefits allowed in each such case. According to the scheme a person interested to avail of the same is to get ex-gratia payment and other benefits depending upon his status under life coverage scheme. A person is also entitled for retirement gratuity, P.F., medical facility for self, spouse and dependant and farewell gifts etc. etc.

10. Admittedly the workman, an Ex-military man, was working as a Driver-cum-Havildar in the mines of the Management at Joda. It is also admitted by the workman that he was under medical treatment some way or other continuously from 30-7-1998 till the date of his alleged retirement under the scheme. In his pleading, it is contended by the workman that though he was otherwise fit. The Management hatched up a strategy to get rid of him for the complaint he had lodged against the staff of the TISCO hospital, Jamshedpur on 15-8-1998 and accordingly declared him medically un-fit from time to time and finally declared him unsound through its various Medical Board. He has also deposed that after so being terminated from service when he approached the S.C.B. Medical College at Cuttack, the doctor of the Psychiatric Department did not find any abnormality with him and therefore in such a situation he could not have ever opted to avail the benefits of the Medical Separation Scheme. His tendering of an application for availing the benefit of such scheme was simply stage managed by the Management against his will. But such a stand as taken by the workman does not appeal to a free conscience when compared to the documents already available on record. Ext.-1 is the application of the workman to settle his claim under the Medical Separation Scheme. It shows that he had submitted the same under his signature on 15-9-1999 in triplicate detailing therein his service particulars. He sent his above application through his departmental head along with a forwarding letter addressed to the G.M. (OMQ) for consideration of his application saying that he has already been found medically

unfit by the Medical Board last held on 2-9-1999. Ext.-4 is the letter of the Management dated 2-11-1999 by which he was allowed to avail the benefit and to collect his final settlement dues immediately after vacating the company's quarters. Ext.-5 is the letter of the Accounts Department dated 22-11-1999 under which various cheques to be delivered to the workman were sent to the Officer (Admn.), Time Office at Joda and Ext.-6 is a letter of the Joda Office dated 24-11-1999, directing the workman to collect his cheques. The evidence of the Management Witness No.1 as well as the endorsement of the workman at the bottom of Ext.-6 shows that he had received the above letter on 24-11-1999. Ext.-7, 7/1, 7/2 and 7/3 are different other vouchers prepared by the Accounts Department in regard to the final settlement of the dues of the disputant-workman towards his gratuity, ex-gratia, P.F. and other dues under the life coverage scheme. These documents show that the workman had received his dues by contributing his signature as token thereof. Ext.-8 is the extract of the Final Settlement and payment register in which he has received all his dues in presence of two co-workers. The Management Witness No. 2 and 3 are those co-workers in presence of whom such payments were made under Ext.-8. While deposing about the above payments made to the disputant-workman these two witnesses of whom one is an office bearer of the Union have stated that they were called to the Time Office by the workman himself to witness the payment. They further deposed that in their presence the workman was paid his dues and they were asked to sign as witness thereto. Thus from the above it appears that the workman was quite alive of the situation under which he was going to be paid his dues. His conduct of putting signature in various papers and his further conduct of receiving his dues in presence of two witnesses called by himself clearly suggest that he had opted for the benefits under the scheme. Therefore his belated plea as taken in his rejoinder much after the submission of the counter by the Management that his signatures were taken clandestinely on various papers by the Management appears to be a false pretext. It is on record (Ext.-10) that for early payment of his retirement gratuity and P.F. the workman had also made a representation to his authority and to facilitate the same he had also addressed another letter to the A.L.C. (C) vide Ext.10/1 to drop the Industrial Dispute which he had raised earlier saying to have already opted to take retirement under the Medical Separation Scheme. Another letter marked under Ext.-10/2 also indicates that he had addressed a letter to the Trustees of the TISCO Employees Pension Scheme at Jamshedpur asking him to commute 1/3rd of his pension fund and to deposit 2/3rd thereof with LIC as per rules. Ext.-10/4 and 12 are the other letters of the workman in which he had requested the Divisional Manager (Accounts) to let him know the tax recovered from his retirement gratuity, ex-gratia, P.F. etc. and also to make payment of some of his dues by postal money order and Ext.-10/5 is his application

for payment of the gratuity. From these and few other documents of the workman, which the Management has exhibited it can not be said that the signature of the workman as alleged by him had been obtained by the Management clandestinely. Further more it is on record that after receipt of all his dues the workman raised one Industrial dispute vide LD. Case No. 81/2001 claiming money/wages for the period during which he was declared medically unfit from 1-8-1998 till the date of his retirement under the scheme. It is also on record that after the above dispute was adjudicated in his favour the Management paid all his dues as ordered by the Tribunal in its award dated 13-5-2003. The record further shows that after disposal of the said Industrial Disputes Case, one W.P.(C) No. 7240/2003 was again filed by the workman before the Hon'ble High Court challenging the aforesaid order of the Tribunal alleging that the above I.D. Case had been disposed of by the Tribunal while his representation to change the reference was pending with the Government. The order of the Hon'ble Court shows that consequent upon such stand the Court was pleased to direct the Government to consider his grievance in consequence whereof the present reference was received from the Government. Here it be mentioned that when the disputant-workman could moot two cases one after the other vide I.D. Case No. 81/2001 and W.P.(C) No. 7240/2003 it is not known why he did not come up with a case challenging his voluntary retirement to be bad on similar ground as taken in the present one. This itself suggests that the workman is not clean in his approach. He is perhaps fastidious of prolonging the litigation some way or other. If really the Management had played trachery on him in declaring him medically unfit and unsound to dupe him even though he was otherwise fit, it is not known why he did not take such a stand in either of the cases noted above. This itself demolish the stand of the workman that he had never taken voluntary retirement under the scheme. Further his raising of the present dispute long after receipt of all terminal benefits spells out a different unethical story of lust for money. In view of the above the workman is not entitled for any relief.

11. Section 2(00) of the Industrial Disputes Act defines the term "Retrenchment. Under its clause (bb) a person taking voluntary retirement will not amount to retrenchment. So also termination of service of a workman on the ground of continued ill health will not amount to retrenchment. Since in the instant case the disputant workman has been terminated on his opting to settle his case under the scheme which otherwise speaks of a case of voluntary retirement, his termination can not be termed as a case of retrenchment within the meaning of the term.

ISSUE NO. I & III

12. Having held that the case of the disputant is not one of retrenchment and it not being a case of dismissal or discharge, raising of the dispute after severance of

employee-employer relationship makes the reference non-maintainable.

13. Accordingly the reference is answered with no relief to the workman.

N. K. R. MOHAPATRA, Presiding Officer

List of Witnesses Examined on behalf of the Workman

Workman Witness No. 1—Shri Bhubaneswar Thakur.

List of Witnesses Examined on behalf of the Management

Management Witness No.1—M.Z.M. Ansari.

Management Witness No.2—Shri Upam Bihari Baral.

Management Witness No.3—Shri Juria Munda.

List of Exhibits on behalf of the 2nd Party-Workman

Ext.-A - Copy of the Medical Certificate granted by the Psychiatrist, RMG, Ranchi.

Ext.-B - Copy of letter dated 30-3-1999 of Surgical Specialist, Central Hospital, Joda.

Ext.-C - Copy of out-patient card issued by the Medical Health Institute of S.C.B. Medical College Hospital, Cuttack.

Ext.-D - Copy of Fitness Certificate.

Ext.-E - Copy of deposition dated 15-11-2002 of Dr. Gopal Ch. Kar in I.D. Case No. 81/2001.

Ext.-F - Copy of Driving license.

Ext.-G - Copy of the front page of the FIR.

Ext.-H - Copy of order No. 20, dated 17-11-1997 of P.O., I.T., Orissa, Bhubaneswar.

Ext.-J - Copy of discharge report of the TISCO Hospital, Joda.

Ext.-J/1 - Copy of Unfit Certificate granted by the Medical Board of TISCO Hospital, Joda.

Ext.-K - Copy of out-patient card of Mental Health Institute, S.C. Medical College, Cuttack.

Ext.-L - Copy of report of the Prof. & Head of Deptt. of Psychiatrist, Deptt. of S.C.B. Medical College.

Ext.-M - Copy of Award in I.D. Case No. 81/2001.

Ext.-N - Copy of order of the Hon'ble High Court in W.P. (C) No. 7240 of 2003.

Ext.-P - Copy of application to the A.L.C. (C) Rourkela raising the Industrial Dispute.

Ext.-Q - Copy of letter dated 2-11-1999 of Management to the workman Shri Bhubaneswar Thakur.

List of Exhibits on behalf of the 1st Party Management

Ext.-1- Xerox copy of application of the workman dated 15-9-1999.

Ext.-1/1. - Covering letter of the application.

Ext.-2. - Copy of Medical Separation Scheme.

Ext.-3 - Copy of forwarding letter dated 18-9-1999.

Ext.-4 - Copy of order dated 2-11-1999

Ext. -5 - Copy of order dated 22-11-1999.

Ext.-6 - Copy of letter dated 24-11-1999.

Ext.-7 - Copy of vouchers prepared in regard to the final settlement.

Ext.-7/1- Copy of vouchers prepared in regard to the final settlement.

Ext.-7/2 - Copy of vouchers prepared in regard to the final settlement.

Ext. 7/3 - Copy of vouchers prepared in regard to the final settlement.

Ext.-8 - Extract of the Payment register.

Ext.-8/1 - T.P.R. 1/3rd commuted value of pension.

Ext.-8/2 - Signature of the witness in the last column of the register at the time of Ex-gratia payment.

Ext.-9 - Xerox copy of Award, dated-13-5-2003 in Tr.ID No.81/2001.

Ext.- 9/1 Copy of order dated 24-9-2003 under which the dues were assessed—

Ext.-10 - English Signature of Shri Bhubaneswar Thakur.

Ext.-10/1 English Signature of Shri Bhubaneswar Thakur.

Ext. -10/2 - English Signature of Shri Bhubaneswar Thakur.

Ext.-10/3 - English Signature of Shri Bhubaneswar Thakur.

Ext.-10/4 - English Signature of Shri Bhubaneswar Thakur.

Ext.-10/5 - English Signature of Shri Bhubaneswar Thakur.

Ext.-11 - English Signature of Shri Bhubaneswar Thakur.

Ext.-12 - Copy of letter dated 20-9-2000 of Bhubaneswar Thakur to the Management.

नई दिल्ली, 12 अक्टूबर, 2007

का.आ. 3246.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल सिल्क बोर्ड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, बेंगलूर के पंचाट (संदर्भ संख्या 122/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-10-2007 को प्राप्त हुआ था।

[सं. एल-42011/55/99-आई.आर.(डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 12th October, 2007

S.O. 3246.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 122/99) Central Government Industrial-Tribunal-cum- Labour Court, Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Silk Board and their workman, which was received by the Central Government on 12-10-2007.

[No. L-42011/55/99-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
BANGALORE

Dated, the 19th September, 2007

PRESENT

Presiding Officer : Shri A. R. Siddiqui

C. R. No. 122/1999

I PARTY:

The Secretary,
 Central Silk Board Employees
 Union, C/o Manjunatha Stores,
 No. 268/2, III Main,
 Pipeline Kasturbanagar,
 Mysore Road,
 BANGALORE-560026

II PARTY:

The Member Secretary,
 Central Silk Board,
 Central Silk Board Complex,
 Vth Floor, BTM Layout,
 Hosur Road, Madivala,
 BANGALORE-560068

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide order No. L-42011/55/99/IR(DU) dated 16th November 1999 for adjudication on the following schedule :

SCHEDULE

“Whether the claim of the Central Silk Board Employees union to adapt Casual labourers (Temporary Status and Regularisation) Scheme and the pay scales of the Vth Pay Commission in respect of Casual and time Scale farm workers by the management of Central Silk Board, Bangalore is justified? If not, to what relief the workmen are entitled?”

2. The case of the first party union at Paras 2 & 3 of the claim statement is as under:

“ That the Central Silk Board employees union is a registered trade union having Registration No. MYS/496/89. The constitution of the union provides for Membership from the employees working in the Central Silk Board throughout India; that the first party union has been espousing the cause of its workmen; that the second party management is an autonomous body coming under the control of Ministry of Textiles, Govt. of India. It has established its Central office in Bangalore. The management is having Research Institutes, Seed Production Centres, Mulberry Farms, Silk Reeling Sections at various places all over India depending upon the need. The second party management has more than 2800 farm workers working in different units of the Board all over India. These farm workers are broadly categorized into two groups as follows :—

- (1) Casual farm workers
- (2) Time Scale Farm workers.

According to the Second Party Management, the farm workers who were initially engaged on casual basis will have to render minimum of 240 days of continuous service for a period of two years so as to get their status converted as time scale farm workers. According to the Second Party Management, this is the scheme that is prevailing for bringing the casual farm workers to the category called time scale farm workers. But according to the first party union, the Second Party Management has not implemented the scale of pay as recommended by the 5th Pay Commission to all the casual and time scale farm workers. Apart from this, the management has also not implemented the scheme called casual labourers (temporary status and Regularisation) Scheme formulated by the Govt. of India, Department of Personnel & Training as per the official Memorandum No. 51016/2/90 Esst. © dated 10-09-1993. This infact was the major demand placed by the first party union to support and advance the cause of the casual farm workers working throughout India under the control of the Second Party Management. The Union also made several other demands and further requested the management to consider the case of these casual farm workers, in as much as, similarly situated organizations have adopted the scheme as formulated by the Govt. of India for regularizing the services of the Casual labourers. But the reasonable demand of the first party union was not met with and in the circumstances, the Union raised a conciliation before the ALC (Central), Bangalore; that the second party management appeared before the Conciliation Officer and submitted their statement of objections. However, the management refused to consider the reasonable demand placed by the Union regarding the regularisation of the services of the casual farm workers. Hence the conciliation ended in failure and failure of conciliation was reported to the Govt. by the Conciliation Officer on 07-05-1999. It is, thereafter the Govt. of India has referred the dispute for industrial adjudication.

That the scheme the Casual Labourers (Temporary Status and Regularisation) Scheme (hereinafter called as the Scheme) is a well accepted scheme and this scheme has been formulated to safeguard the interest of the casual workers whose services are being utilized by the employers for unreasonably long periods. It is only to curb and to put an end to the system of harassing casual labourers, such schemes are being formulated. It is relevant to submit that the scheme has been adopted by several Central Govt. organizations including Autonomous Bodies. In fact, the Scheme has been adopted by the Indian Council of Agricultural Research, Central Institute for Cotton Research, Random Sample Poultry performance Testing Centre, Hesarghatta, Bangalore. The Central Tobacco Research Institute, the Indian Coffee Board, the Spices Board under the Ministry of Commerce etc. have adopted the scheme. It is submitted that the scheme cannot be restricted to the office staff alone but it will have to be extended to casual workers in the field, farm, plant etc. It was also pleaded by the Union before the Second party Management that the benefit of the scheme should be extended to the casual employees working under the Second Party Management. The management did not consider the reasonable request of the union. The scheme being a beneficial one to the

casual labourers, it should have been adopted by the Second Party Management in respect of all the casual labourers employed in offices, Grainages, Farms or fields without any discrimination. The contention of the second party management that the Time Scale Farm workers scheme has been adopted by the Second Party Management to its casual labourers and therefore, the scheme cannot be extended to the casual labourers employed under the second party management cannot be accepted, in as much as, the former scheme prevalent in the second party management does not adequately do justice to the demands of the casual labourers. That scheme is highly disadvantageous and totally inadequate when compared to the scheme of grant of temporary status to the casual labourers. Hence the first party union is justified in demanding the management to extend the benefit of the scheme to all the casual labourers employed in their various establishments without any discrimination. It is submitted that the casual labourers are entitled to avail the benefit of the scheme without any discrimination and with retrospective effect."

Therefore, the first party union requested this tribunal that it is justified in demanding adoption of the Casual Labourers (Temporary Status and Regularisation) Scheme and the pay scales of the 5th Pay Commission in respect of the Casual and Time Scale Farm Workers by management with a direction to the management to extend all these benefits with retrospective effect and with all consequential benefits.

3. The management by its Counter Statement, at the first instance contended that the first party union had no locus standi to raise the dispute on hand and the management is not aware of the very existence of the union itself. On merits, the management contended that it has got 4 categories of Regular/Cadre Employees i.e. Groups A, B, C and D in its establishment and the regular employees are governed by the Cadre and Recruitment Rules and service conditions regulated by the Central Govt. Services as applicable to the Central Government employees of similar grades. In addition to regular employees, the management (hereinafter called the Board) has farm workers engaged for various manual works at Mulberry farms, grainages and in reeling units etc. which is the work different from the work being done by the Group D staff. The nature of the work in farms is akin to agricultural nature and there is no regular group D post created for such category of the work. These farm workers are governed by Relevant Labour Statutes and the instructions/guidelines issued by the Board from time to time. These farm workers and time scale farm workers are eligible for various kinds of financial and non financial benefits under the scheme framed by the Board applicable to them; that the pay scale as recommended by the 5th Pay Commission is meant for regular employees and therefore, cannot be made applicable to the farm workers and so also the aforesaid Casual Labourers Temporary Status and Regularisation Scheme (hereinafter called the casual Labourers Temporary Status Scheme) does not apply to the farm workers of the Board. Therefore, the claim of the first party union cannot be accepted and is liable to be rejected; that the farm workers

are further eligible for being regularized against Group D post i.e. Attenders, Chowkidars and Safaiwalas subject to availability of vacancy and fulfilling the prescribed eligibility criteria and as per the seniority. Therefore, the service conditions as applicable to the Regular Employees of the Board viz. Group D post is not applicable to the farm workers. The aforesaid scheme and 5th Pay Commission recommendations are applicable only to the regular employees and not to the farm workers; that though the said scheme is adopted by few organizations, it is adopted only to the workers who are engaged to do office oriented jobs such as Clerical/Typing and not the workers doing the manual work; that the Board has got a separate scheme applicable to its farm workers and therefore, the scheme in question has not been extended to them; that the similar matter came up before the High Court of Madras in WP No. 17969/97 filed by few farm workers against the Board and the Hon'ble High Court observed that the aforesaid scheme of 1993 was not framed by the Board and therefore, it is applicable only to the Casual Labourers in the employment of Ministries, Department of Govt. of India and their attached subordinate offices. It further observed that the Board being the Statutory body cannot be treated as a body subordinate to the Ministry so as to apply the above said scheme to the employees working under the said Board; that applying the above said temporary status scheme to the farm workers would amount to absorbing them to Group D Post without regard to the vacancy, seniority or fulfilling the criteria prescribed in the Board's Recruitment Rules, these workers therefore, cannot automatically be brought to Group D Scale under the Temporary Status Scheme. Admitting certain facts at Para 7 of the Counter Statement as contended by the first party union, the management further contended that the board having its own scheme applicable to the farm workers and the temporary status scheme cannot be made applicable to the farm workers. The Board denied the allegations of the first party union that the scheme existing in the Board is not proper and that the farm workers are being harassed by the management. It denied the allegation that the other organizations similarly situated had adopted the said scheme and that it cannot be restricted to the office staff alone. The management further denied that the scheme available with the board does not adequately do justice to the demands of the Casual Workers and that it is highly disadvantageous compared to the aforesaid Temporary Status Scheme. Therefore, the management requested this tribunal to reject the reference.

4. The first party union filed its rejoinder to the Counter Statement filed by the management asserting that the Central Silk Board Employees Union (the first party Union) is a Trade union of employees of the Board registered under the Trade Unions Act, 1926 on 17-7-1989 with the ALC and Sub Registrar of Trade Unions, Mysore Division. The first party further contended that the farm workers are made to work and discharge a variety of jobs which are similar and analogous to the jobs undertaken by Group D post and there are instances to show that these farm workers have discharged the work of Group 'C' employees and the duties of Chowkidars, Peons, Attenders and others. Therefore, the claim put forth for the farm workers is reasonable; that

in the light of the very stand taken by the management that these farm workers are eligible for being regularised against Group D post despite the fact that such posts are meant for direct recruitment. It is clear that the management has got the power to relax the Recruitment Rules for the benefit of the farm workers. The first party union further contended that the above said temporary status scheme having been adopted by other organisations and other autonomous bodies under the Central Govt., there cannot be any problem for the management to adopt the said scheme for its farm workers along with the benefits of the pay scale recommended by the 5th Pay Commission. It contended that the said scheme being a social legislation, it is imperative to extend the same to all the workmen particularly, when the said scheme was in accordance with the judgement of the Hon'ble Supreme Court on the ground that if there are no vacancies in Group D, the casual labourers should be extended the benefits of Group D employees by absorption of their services in temporary status. Therefore, the first party requested this tribunal to reject the Counter Statement filed by the management.

5. In order to substantiate the claim as per the schedule reference the first party union examined one Mr. A. T. Jayakumar as WW1 said to be the General Secretary of the first party union and got marked in all 45 documents at Ex.W1 to W45 in his examination chief and the other two documents namely, Ex.W46 and W47 were marked during the course of cross examination of MW1. His statement relevant for the purpose in his examination is that he has been working to the management for the last 22 years as a Time Scale Farm Worker along with other 2800 employees working in the same category and that his initial appointment was as a casual labourer. He used to do the work of Mother Moth Testing, maintaining the accounts and other clerical jobs along with field work. He stated that all other employees placed in similar position also have been discharging the functions and duties which are being carried out by the other employees of the management in Group-C and D posts. Then he referred to the three representations made by the first party union to the management and to the Ministry of Textiles at Ex.W1 to W3. He then referred to his own experience certificates to show that he worked in various departments marked at Ex.W6 to W9. He referred to the Certificate at Ex.W10 issued to his co-worker, Shri Ravish Kondacha and then referred to the office orders of the management (ten) in numbers marked at Ex.W11 series to show the nature of the work being carried out by the other workers and the allotment of work to them by the management. He stated that there are circulars issued by the other ministries implementing the scheme of temporary status and recommendations of the 5th Pay Commission in respect of the casual labourers working in other departments such as Coffee Board, Tobacco Research Institute, Spice Board and Animal Husbandry etc., 8 in numbers marked at Ex.W12 series. He stated that the casual workers working in the aforesaid departments under the ministries do the same work which work is being carried out by himself and other co-workers. He stated that the management Board is under the control of the Ministry of Textile and has to seek the approval of the Ministry of Textile for the Rules and Regulations with

regard to its administration and the employees working under it. He then stated that the 5th Pay Commission recommendations are applicable to the quasi Government organization, autonomous bodies and, therefore, they as farm workers are also entitled for the benefits of 5th Pay Commission.

He then referred to the copy of the registration certificate of the first party union and the accounts maintained by it for the year 2002 at Ex.W13 & 14. In his further examination chief referred to the official memorandum dated 10-9-1993, circular dated 19-10-2001, the union representation dated 24-1-1994 made to the then Textile Minister and the list of the employees working under the management marked at Ex.W15 to W18. After having produced 16 documents on the next date of hearing marked at Ex.W19 to W34, he stated that the benefit of 1993 scheme published by the Govt. of India had been extended to all the time scale farm workers numbering over 2220 working all over India in December 2005 and January 2006 but the benefits were withdrawn with effect from February 2006 after about two months of the implementation of the said scheme. While producing about 11 documents marked at Ex.W35 to W45 in his further examination chief he stated that these are the documents deliberating implementation of the above said scheme of the year 1993 at Ex.W15, approval by the Parliamentary Committee followed by Ministry of Textiles, Govt. of India giving directions to the management to implement the said scheme, approval by the Board and issuance of individual orders to each of the eligible employee all over India extension of pay fixation benefits under the said scheme and thereafter withdrawing the same unilaterally after two months of its implementation. In his cross examination it was elicited that there is a scheme with the management for regularisation of the services of these casual and farm workers but none of them has been regularised as per the said scheme. It was elicited that his services were also regularised as per the time scale worker's scheme. He denied the suggestion that the casual workers and time scale workers do not come under the category of Group D and C. The rules and guidelines applicable to these workers are different. He then admitted that some of the farm workers have been regularised in service as Chowkidar, Safaiwala but denied the suggestion that they have been regularised as per the above said casual and time scale workers scheme. He denied the suggestion that service conditions of the Group D employees are quite different from the casual and time scale workers. He denied the suggestion that the aforesaid 1993 temporary status scheme has been adopted by other Boards only in respect of employees working in the office and not other employees. He admitted that 5th Pay Commission has been extended to group D employees of the management and denied the suggestion that none of the first party workmen has been given designation such as Chowkidar, Peon, Attender, driver etc. He admitted that farm casual workers in continuous service of 240 days for two years have been converted into time scale workers and his case also comes under the same category.

6. The management on its part examined one Mr.G.K. Unnithan said to be working as Joint Director (Administration) in the management as MW1 and in his

examination chief 18 documents were marked at Ex.M1 to M18 and in his cross examination documents at Ex.M19 and M19 (a) were marked. In his examination chief in addition to the various contentions taken by the management in its Counter Statement MW1 stated that after having revised the wage scales applicable to time scale labourers w.e.f. 1-1-1990 a decision was taken to convert the casual labourers with 5 years of continuous service as Time Scale Labourers from 1-1-1990 and these benefits of the wage scales were extended to the time scale farm labourers vide circular dated 23-5-1990 till those wages were revised w.e.f. 1-04-1995. At para 10 of the affidavit he stated that according to the C&R Rules, the three group D posts namely, Attenders, Chowkidars and Safaiwalas are filled by direct recruitment and the time scale workers or casual labourer who fulfilled the eligibility criteria prescribed under those rules are entitled to apply the Group D post subject to availability of vacancies, seniority etc. and in this way the board so far has appointed 300 time scale workers against the Group D posts. He stated that in view of the judgment of the Supreme Court dated 17-1-1986 the Govt. of India laid down certain guidelines vide office memorandum dated 07-06-1988 in the matter of recruitment of casual workers on daily wage basis and accordingly the departments were instructed to undertake a review of recruitment of casual workers working under their control and this policy was further reviewed in the light of the judgment of the CAT, Principal Bench, New Delhi delivered on 16-2-1990 and thereafter a scheme called "casual labourers (grant of temporary status and regularisation) scheme of Govt. of India, 1993" was drawn up by the Department of Personnel and Training and circulated among the Ministries and Department of Govt. of India and their attached subordinate Offices which came into effect from 1-9-1993 under which casual labourers who were in the employment as on the date of the issue of the office memorandum and who had worked continuously atleast for one year have been conferred temporary status entitling them the wages and other benefits of pay, scale etc. on par with Group D employees. At para 12 he stated that the question of applicability of the said temporary status scheme to the workers under the management was taken up with the Ministry of Textiles, New Delhi in October, 1993 and the Board received the clarification from the Ministry of Textiles that the above said scheme is not applicable to the labourers working under the Board and thereafter the Board resolved to examine the possibility of helping these labourers taking into account the financial and other implications involved and the matter was to be brought before the next Board's meeting for consideration. He stated that thereafter the board constituted a committee on 9th May, 1995 and the committee after having held discussion and with due deliberations considered the above said temporary status scheme and recommended revised wage scale and other benefits to be effective from 1st April, 1995 and the existing wage scale of Rs.500-10-700 was revised to Rs.1200-25-40-1700 and that was approved by the Ministry vide their letter dated 19-8-1996 and those benefits were extended by circular dated 14-12-1996 giving revision of wages w.e.f. 1st April, 1995 and these farm workers were designated as casual farm workers and the

time scale farm workers. Therefore, the above said circular was in existence when the temporary status scheme of 1993 came into effect from 1-09-1993 and that shows that the Board formulated its own scheme for its own workers and did not adopt the temporary status scheme of 1993 and accordingly the farm workers accepted the revised wages and other benefits as per the circular dated 4-12-1996. Then he referred to certain cases came to be filed before the Andhra Pradesh High Court, High Court of Jammu & Kashmir and High Court of Madras etc. to prove his point that the aforesaid temporary status scheme is not applicable to the farm workers working under the management. At para 20 of his affidavit he submitted that the Ministry vide their letter dated 29-12-2005 requested the Board to work out the additional liability for the current year and subsequent annual recurring liability in view of implementation of the said scheme and they received the information in this regard and thereafter the management by circular dated 15-12-2005 implemented the scheme informing the ministry about the financial details etc. Thereafter the ministry vide its letter dated 20-01-2006 asked the board to withdraw the orders issued by them on 25-11-2005 giving instructions to the board to take the stand before the respective courts and tribunals that the aforesaid scheme is not applicable to the farm workers working under the management. Accordingly, the board issued circular dated 01-02-2006 withdrawing the benefits of the said scheme. He then stated that the above said scheme is not applicable to the farm workers as applying the said scheme will tantamount to regularizing their services with regular pay scale and emoluments applicable to Group D employees for which they are not entitled to. In his cross examination it was elicited that the management Board is a statutory body and controlled by the Textile Ministry and all its actions are subject to the control and supervision of the Ministry. The casual labourers were being recruited locally by the Director of the Management without the approval of the board and this process has been stopped in view of the ban order issued by the Government. It was elicited that as on today about 78 casual workers and 2300 and odd time scale farm workers are working in various research centers and other service centers throughout in India and that no casual workers were working in the office sectors. He denied the suggestion that some of them are working as Chowkidars, Safaiwalas and other staff. When confronted with Ex.W11 series, MW1 stated that services of casual workers have been utilized for some temporary period for the purpose mentioned in those documents. It was elicited that there is a scheme benefits which have been extended to the time scale farm workers as per Ex.M3 and there was a request by the first party union to extend the benefits of 1993 scheme at Ex.W15. It was elicited that the parliamentary committee visited the various Silk Centres all over India and made a recommendation for the implementation of 1993 Scheme. It was elicited that he was aware of Ex.W19 and the enclosures there too and so also Ex.W20 and W23. He admitted that subsequent to the approval given by the Ministry the Board issued orders like one at Ex.W47, to some of the individual employees giving effect to the said scheme from 01-12-2005 and this was done under the approval given by the Board. It was

elicited that thereafter approval has been withdrawn by the Ministry and the various cases have been pending before the High Court of Karnataka challenging the said withdrawal orders. It was elicited that after the circular at Ex.M3 the pay revision in respect of the casual labourers was done in the year 1996 as per Ex.M9 w.e.f. 01-04-1995 and that as per Ex.M19 by this circular once again pay scale was revised by adopting the Government of India scale as per the said scheme and that was withdrawn as per the directions of the Government of India. He admitted that the pay scale shown in Ex.M19(a) @ Rs. 2550—3200 is the pay scale applicable to the Group- D employees. It was elicited that there was no post of casual labourer farm workers as such provided under the Central Silk Board Consolidated Rules, 1989 and the lowest post for regular employees is the Group 'D' post to be appointed by way of direct recruitment process. It was elicited that casual labourers are to be regularized as Group 'D' employees subject to the vacancies available fulfilling the required qualification. He denied the suggestion that casual labourers are discharging the duties similar to the duties of Group 'D' employees under the 5th Pay Commission. He denied the suggestion that statutory bodies mentioned in para 3 of the Claim Statement have adopted the above said 1993 Scheme for casual labourers. It was elicited that the Board sought information from Coffee Board, Spice Board etc., with regard to the implementation of the Scheme and was told that it was implemented for the employees working on office side. He admitted that this information was available as on the date the recommendations were processed by the Board for the circular at Ex.M19 and that the Board was also aware of the Madras High Court decision referred in his affidavit. He denied the suggestion that the appointments of the casual labourers being the need base they are entitled to all the benefits as per 1993 Scheme and the benefits available to Group 'D' employees.

7. The documents marked on behalf of the first party union at Ex.W1 to W47 are as under:—

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|--------|---|------|---|
| Ex.W1: | Representation through union to the Management regarding implementation of scheme for grant of temporary status dated 24-01-1994. | W10: | Certificate issued to Shri Ravish Kadancha dated 30-06-1987. |
| W2: | Representation through union to the Ministry for Textile regarding extension of the scheme of temporary status dated 29-04-1994. | W11: | Office orders/circulars/memorandums (15 nos). |
| W3: | Representation to the Chairman of Central Silk Board dated 11-11-1997. | W12: | Memorandum and letter of implementations(8 nos) marked as Series documents.) |
| W4: | Notice of strike by the Union dated 26-03-1998 | W13: | Registration certificate of the union dated 17-07-1989. |
| W5: | Representation to RLC regarding charter of demands dated 19-06-1998. | W14: | Union accounts for the period 31-12-2002. |
| W6: | Certificate issued to Shri Jayakumar dated 27-03-1983. | W15: | Official Memorandum dated 10-09-1993. |
| W7: | Certificate issued to Shri Jayakumar dated 19-07-1984. | W16: | Circular dated 19-10-2001. |
| W8: | Certificate issued to Shri Jayakumar dated 27-04-1991. | W17: | Representation dated 24-01-1994. |
| W9: | Certificate issued to Shri Jayakumar dated 22-11-1991. | W18: | List of Employees. |
| | | W19: | Report submitted by the parliamentary Standing Committee (Labour). |
| | | W20: | Copy of the Board Resolution (CSB). |
| | | W21: | Copy of the order dated 15-10-2005 passed by the Hon'ble High Court of J&K at Srinagar. |
| | | W22: | Copy of the letter dated 6-6-2005 sent by the Ministry of textiles. |
| | | W23: | Copy of the letter dated 25-11-2005 submitted to the members Secretary. |
| | | W24: | Copy of circular dated 18-01-2006 regarding implementation of the scheme of temporary status of the TSFW. |
| | | W25: | Memorandum dated 10/23-01-2006. |
| | | W26: | Salary Slip for the month of November 2005. |
| | | W27: | Salary slip for the month of December 2005. |
| | | W28: | Copy of the letter dated 20-01-2006 issued by the Ministry of Textile. |
| | | W29: | Salary slip for the month of February 2006. |
| | | W30: | Copy of the letter dated 18-02-2006 addressed to the member secretary. |
| | | W31: | Strike notice dated 09-03-2006. |
| | | W32: | Copy of the notice dated 23-03-2006. |
| | | W33: | Copy of the proceedings dated 07-04-2006 before the ALC© |
| | | W34: | Copy of the letter dated 13-03-2006. |
| | | W35: | Recommendation letter dated 31-12-2004. |
| | | W36: | Copy of the judgment dated 15-10-2005 passed by the Hon'ble High Court of J&K. |
| | | W37: | Orders dated 13-04-2005 passed by the CSB, Board meeting. |
| | | W38: | Letter addressed by the Ministry of Textile to the Ministry of Labour and DOPT and same is sent to the first party union. |
| | | W39: | Letter dated 25-11-2005 implementing the grant of temporary status to the casual farm workers. |
| | | W40: | Memorandum dated 23-01-2006. |
| | | W41: | Pay Slip for the month of November 2005. |
| | | W42: | Pay Slip for the month of December 2005 & January 2006. |
| | | W43: | Cancellation orders-cum-circulars. |
| | | W44: | Pay Slip for the month of February 2006. |
| | | W45: | Notice of strike issued by CSB employees dated 9-3-2006. |

W46: Circular dated 30-12-2005 for revision of wages to time scale farm workers of CSB.

W47: Memorandum dated 10-01-2006.

8. The documents which have been marked on behalf of the management Board at Ex.M1 to M19 & M19 (a) are as under :—

EX.M1: Statement arrived between CSB and CSB Employees Union during August 1970.

M2: Circular dated 12-03-1980

M3: Circular dated 23-05-1990 issued for revision of wages

M4: Details of labourers engaged year wise

M5: Nature of work done by Group D and casual labourers

M6: Minutes of the 89th meeting held on 25-1-1994

M7: Minutes of the 94th meeting held on 11-1-1996.

M8: Letter of Ministry dated 19-08-1996.

M9: Circular dated 4-12-1996.

M10: Decision of the Supreme Court in SLP 1078/96.

M11: Judgment of Madras High Court.

M12: Judgment of J&K High Court.

M13: Letter of ICAR.

M14: Letter dated 16-11-2006 of Ministry of Agriculture

M15: Letter of Ministry dated 29-12-2005.

M16: Letter of second party to the Ministry

M17: Letter of Ministry dated 20-01-2006.

M18: Circular of second party dated 1-02-2006.

M19: Circular of second party dated 18-12-2005.

M19(a) Report of committee of Time Scale Farm Workers.

9. The facts undisputed giving rise to the present dispute are that in 1993, the department of Personnel and Training has drawn up a scheme called "Casual Labourers (grant of temporary status and regularisation) Scheme of Govt. of India 1993" (hereinafter referred to as "temporary status Scheme") and the same was circulated among the Ministries and Departments of Government of India and their attached subordinate offices coming into force w.e.f. 01-09-1993 under which casual labourers who were in the employment as on 01-09-1993 rendering continuous service of atleast one year were to be conferred temporary status entitling them to wages at daily rates with reference to the minimum of the pay scale of a corresponding regular Group-D official including DA, DP, HRA & CCA besides certain other benefits.

10. The union representing the casual and time scale farm workers and also the farm workers of Jammu & Kashmir units of the management board started demanding increase in their wages, by way, number of representations, some of which were addressed to Ministry also. Some of them filed cases before the Jammu & Kashmir High Court and some of them have raised the present dispute. The management opposed those demands on the ground that said temporary status scheme will not be applicable to the farm workers working under the board and the board has its own time scale of wages extended to farm workers. In the meanwhile the Parliamentary Standing Committee of Labour visited the board and its research Institute at Bangalore and Mysore on 8-11-2004 considering among other things, the issue of revision of wages of these farm workers.

11. The proposal to the above effect requesting Ministry's approval for bringing the farm workers under the said scheme was sent to the Ministry on 31-12-2004 vide Ex. W19(W20) and the proposal was also placed before the board at its 115th meeting held on 19-03-2004. The board approved the proposal with a condition that the implementation of the proposal should be only on respective unions withdrawing the cases pending before the courts. While, the proposal was pending consideration before the Ministry, the Jammu & Kashmir High Court finally disposed off the WP No. 964/04 dated 05-10-2005 with the observation that the union of India /Ministry will consider the recommendations made by the board in terms of rules governing the field provided the farm workers were found eligible within 3 months of service of order on Government of India. This was brought to the notice of the ministry by the board vide its letter dated 08-11-2005. Pursuant to the court's decision and the suggestions received by the parliamentary standing committee of labour, the ministry was pleased to consider the proposal and conveyed approval vide its letter dated 25-11-2005 for implementing the temporary status scheme to the farm workers of the board. Based on the ministry's decision a circular dated 15-12-2005 to all its units to implement the scheme to the eligible farm workers w.e.f 01-12-2005 was issued and the board at its 116th meeting held on 02-12-2005 at Bangalore initiated action to implement the scheme. However, the Ministry vide its letter dated 20-01-2006 conveyed its decision withdrawing the approval given to implement the said scheme in supersession of their earlier approval resulting into a circular dated 1-02-2006 issued by the Board stopping implementation of the said scheme. Thereupon, the board has taken action by writing a letter to the Ministry of Textiles, Government of India once again requesting to consider its decision and accord permission for implementing the above said scheme to the farm workers of the board and the matter is said to be under consideration of the Ministry of Textiles.

12. The case of the first party union before this tribunal to put in, nut shell, is that the above said temporary status scheme as well as the recommendations of the 5th pay commission are very much applicable to the farm workers working under the board as they are engaged by similar organization of Government of India such as the Indian Institute of Agriculture Research, Random Sample planting performance testing center, the Central Tobacco Research Institute, the Indian coffee board, the spices board etc. under the various Ministries of Government of India extending similar benefit of granting scale of pay as recommended by 5th Pay Commission to casual labourers. Whereas, it is the case of the management that the board has more than 2800 farm workers working at different units of the board all over India and it has got its own scheme wherein the casual farm workers who have rendered 240 days continuous service for a period of 2 years are converted to time scale farm workers under the aforesaid scheme making them eligible to various benefits as per the terms of the scheme. Therefore, the board has got its own scheme for regularization of casual farm workers by converting them to time scale farm workers and they are also eligible for being appointed against Group D post subject to eligibility as per the Central Silk Board (constituted) Recruitment Rules, 1989 and subject to

availability of vacancies. Therefore, the board contended that the aforesaid temporary status scheme automatically will not be applied to all the establishments particularly, when the board is not a Govt. of India department but a statutory body, created under an Act of Parliament. The board further contended that to bring a uniform wage scale for all time scale farm workers, a committee was constituted in 1990 and based on the recommendations of the said committee the time scale of time scale farm workers were revised into a uniform wage scale and weightage was also given for the services rendered. Once again in 1995-96 the board constituted a committee to study the existing wage structure of the above said workers and on its recommendation pay scale was again revised in respect of the time scale farm workers and it was implemented w.e.f. 01-04-1995 along with other benefits.

13. Now, let us in the above said background to consider the claim of the first party workmen as to whether the management shall adopt the aforesaid temporary status scheme and shall pay the scale of 5th Pay commission in respect of casual and time scale farm workers and if not, to what other relief the first party workmen are entitled to.

14. Learned counsel for the first party union Shri VS Naik vehemently argued that the casual farm workers some of them converted as time scale farm workers, undisputedly, being the casual workers working in the farms, fields, etc., the above said temporary status scheme shall apply to them as well when that has been applied to other casual workers working under the other establishments and the departments and ministries. Learned counsel submitted that on the several representations made by the union as seen above, the board constituted a committee to study and to recommend the revised wage for the time scale farm workers working in different units of the management board and the committee after having gone into the service conditions of these workers made a detailed report vide Ex.W19(a)/M19(a) recommending the implementation of the above said 'temporary status scheme' and it is after the approval of the board of the said report as noted above, the Govt. of India extended the benefit of the said scheme to the casual workers and time scale farm workers working under the board and the scheme under the orders of the Govt. of India came to be implemented vide letter dated 25-11-2005, however, within two months of the implementation of the said scheme, the Govt. of India withdrew the same by letter dated 20-01-2006 issued by the Ministry of textiles to the Principal Secretary of the board and thereupon the board has initiated action in recovering the benefits paid to the casual workers under the said scheme for a short period of two months. Therefore, learned counsel for the first party contended that the above said scheme should have been made applicable to the casual workers working under the management particularly, when the management had no scheme of its own as on the date the said temporary status claim came into effect. He contended that the scheme said to have been brought into effect in the year 1996 by the management revising the wage scale of the workers of the board is not applicable to its workers for the reason that it is most unreasonable and disadvantageous to the cause of the workers. Learned counsel took the court through

the aforesaid committee report (Ex. W19) recommending to implement the scheme to the workers and contended that as per the said report there has been a very good case made out in favour of the workers taking into consideration the various aspects of the service conditions and the wages drawn by them along with other benefits as compared to Group D employees. Learned counsel submitted that on the basis of the said report, approval was given by the management board and then the scheme was implemented by the Ministry concerned under the orders of the Govt. of India. Therefore, there was no cause or any reason for the ministry concerned to withdraw the scheme after having implemented the same for about a period of 2 months. Learned counsel submitted that most of the casual workers/time scale farm workers not only have worked on the farm and field but also their services have been taken by the board on various occasions for the work which was being carried out Group-B employees and in this context he relied upon the documents produced and marked at EX.W11 series. He contended that the above said scheme has been implemented at various departments and establishments such as indicated above, and therefore, there cannot be any hitch for the management board also to adopt the said scheme for the casual workers working under it. He took support of the documents at EX.W11 series in support of his said contention. He contended that casual workers are one and same wherever they work and whatever work they carry out and that there cannot be any further division between the casual workers working on the farms and the casual workers working elsewhere. Learned counsel further submitted that the above said temporary status scheme has been upheld by their Lordship of Supreme Court and in this context he cited a ruling quoted in 2002(11) LLJ SC page 558.

15. Whereas, learned counsel for the management Shri NSN with equal vehemence argued that first of all the claim of the first party union seeking the pay scale as per the recommendations of the 5th Pay Commission is to be rejected for the simple reason that those recommendations of the 5th Pay Commission are applicable to the regular employees of the Government and cannot be extended to the employees working under Govt. of India undertaking such as the management board. While referring to the various contentions taken by the management in the counter statement, learned counsel submitted that the above said scheme of the year 1993 is not applicable to the workers of the board as from the reading of the scheme itself marked before this tribunal at EX.W15 would make it abundantly clear that it is applicable to the employees working in the employment of the Ministries, department of Govt. of India and their attached subordinate offices. Learned counsel in this context relied upon a decision of Hon'ble High Court of Madras in WP No.17967/97 and WP No.28408/97 marked before this tribunal at EX.M11. Learned counsel contended that the first party workmen cannot claim the benefits of the aforesaid scheme or its application to their case only because it is more beneficial as compared to the scheme of 1996 already existing with the management. He submitted that the scheme of the management is very much reasonable and practicable putting certain reasonable conditions to give benefit of

group-D employees to the casual workers after they fulfil certain conditions and were found eligible having regard to the seniority etc. Learned Counsel submitted that the subsequent developments taken place during the course of pendency of the present proceedings namely, the report of the committee etc, first of all cannot be taken help of by the first party union as no such report was in existence when the dispute in question was raised. He contended that even otherwise the question as to whether the Govt. of India was justified in withdrawing the scheme in question after having implemented it for a while has been raised by the first party union and workers before the Hon'ble High Court and the matter is pending disposal and therefore, it will not be proper for this tribunal to give any finding upon the fact as to whether the Govt. of India was competent and justified in withdrawing the said scheme or not. He contended that Govt. of India is an authority competent to accept the scheme or not and this matter being pending before the Hon'ble High Court cannot be adjudicated in the present proceedings. He contended that this scheme was implemented after having accepted the said report by the Govt. of India and it is the Govt. of India herself has withdrawn the same scheme and the board is neither competent to implement the scheme nor can be held responsible for withdrawal of the said scheme as the board has to work under the control of the Ministry concerned. He submitted that the proceedings before the High Court of Jammu & Kashmir closing the proceedings between some of the union representing the board workers and the board will not be coming to the rescue of the first party union as subsequent to that much water has been flowed under the bridge i.e. appointment of the Parliamentary Committee and the report of the committee constituted by the board and the subsequent developments. Therefore, in sum and substance the learned counsel for the management wanted to say that the scheme as per its own wordings is not applicable to the management board as the employees working under the management board cannot be said to be the employees of the Govt. of India or the employees in the departments attached to the Govt. of India. His contention was that this being the case, the first party union cannot by way of right claim the application of the said scheme or recommendations of the 5th Pay Commission.

16. On going through the records, including the various documents produced by both the parties, I find substance in the arguments advanced for the management. The first and foremost contention of the first party union is that the above said temporary status scheme of the year 1993 produced and marked before this tribunal at EX.M15 is applicable to the casual workers working under the board and whereas, it is the contention of the management that it is applicable to the casual labourers in the employment of Ministries/Departments of Govt. of India and their attached and subordinate offices. To appreciate the respective contentions, let me bring on record Clause 3 of the said scheme running as under:

"Conferment of temporary status on a casual labour would not involve any change in his duties and responsibilities. The engagement will be on daily rates of pay on need basis. He may be deployed anywhere within the recruitment unit/territorial circle on the basis of availability of work."

17. A plain reading of the above said clause makes it abundantly clear that this is the scheme applicable to the casual labourers in the employment of Ministries/Departments of Govt. of India and their attached subordinate offices. It is to be noted that about 25 casual workers working under the board approached the High Court of Madras in Writ Petition No. 17967/97 and WP No.28408/97 seeking the relief against the management board to confer temporary status on them in accordance with the aforesaid temporary status scheme and the Hon'ble High Court while rejecting those writ petitions and the claim of the petitioners at Para 2 & 3 of the order dated 8.01.1998 observed as under:

"Counsel contends on the strength of that Section 11 of the scheme that the board is bound by a scheme framed by the Central Government with regard to casual labourers. That Scheme was not framed by the Silk Board, nor is there anything to show that the Silk Board; has adopted the scheme in respect of its employees. The scheme as set out in paragraph 3 is applicable to casual labourers in the employment ministries/department of Govt. of India and their attached subordinate offices.

A statutory body constituted in terms of special statute passed by a Parliament cannot be treated as a body subordinate to a Ministry and all circulars issued by officers at various levels in the Ministry applicable to such statutory bodies. That would be negating the autonomy which they enjoy under the statute. The petitioner's contentions are, therefore, misconceived. The Writ petition is dismissed. Consequently, WM P.No.28408 of 1997 is dismissed."

18. Therefore, from the aforesaid observations made by the Hon'ble High Court, it gets very much clear that the scheme in question as per its clause No.3 is applicable to the casual labourers in the employment of Ministries/Departments of Govt. of India and their attached subordinate offices. Learned counsel for the first party workmen laid much stress upon the last sentence in Clause III of the said scheme stating that this scheme was not made applicable to casual workers in Railways, Department of Telecommunication and Department of Posts who already have their own schemes. His contention was that first of all the management board is not excluded from the applicability of the said scheme by express words and secondly, the other three departments have been excluded on the ground that they have their own schemes. Therefore, he contended that the management board also had no scheme of its own in the year 1993 and therefore, it was obliged to apply and adopt the said scheme to its casual workers. I am not inclined to accept this contention. When there are very specific wordings used as to who are of the departments coming under the said scheme by no stretch of imagination above said clause III can be interpreted to say that the management board also is bound by the said scheme or that the casual workers working under the board will come under the said scheme. The other three departments which had their own scheme and which are excluded are again the departments attached to the

Government of India. Therefore, whether the management board had its own scheme or not as on the date, the said 1993 scheme came into effect makes no difference. Therefore, the claim of the first party workman through first party union certainly is not based upon or backed by any legal right i.e. a right available to them under the very same scheme, benefit of which they seek by way of the present claim. Learned counsel for the first party union relied upon very much on the above said committee report at Ex. W19 (a) to prove his point that this report of the committee came into existence somewhere in the month of November 2004 appreciating in detail the service conditions of the casual workers of the board as compared to service conditions and the benefits available to the Group D employees and that committee as well as the board which approved the recommendations of the said committee were very much aware of the decision of the Madras High Court and therefore, committee report could not have been ignored and the scheme which was made applicable to the board workers could not have been withdrawn thereafter by the Govt. of India. It was rightly argued for the management that only because the committee made the above said report recommending the case of the board's workers seeking application of the above said scheme and that a very strong case also has been made in favour of the workers in the said report that itself, will not give any right to the first party union to seek the application of the said scheme to the casual workers of the board. Secondly, the said report of the committee constituted by the board has come into existence long after the dispute before this tribunal was raised. The first party union did not base its claim on the basis of the said committee report which was not at all in existence at the time the dispute was raised. Moreover, the board cannot be blamed either for accepting or not accepting the above said report by the committee as in fact the board has given its approval to the report and thereafter the ministry had given its approval for implementing the same. When the Ministry in its own wisdom has withdrawn the scheme after implementing the same for a while, the board cannot be held responsible or blamed for non implementation of the same scheme much less the said report. The arguments advanced for the first party that casual workers working under the board stand on the same footing as the casual workers working under the Departments of Govt. of India or the Ministries and therefore, they should not have been denied the benefits arising out of the said scheme which were made available to the other casual workers. The fact that the first party workmen basically are engaged as farm workers so to say to work in the field is undisputed and cannot be disputed. WW1, the General Secretary representing the first party workmen in his cross examination admitted that the only workers doing the work on Mulberry field, in the grainage and reeling units carrying out the manual work are the only members of the first party union. Therefore, contention for the first party that these casual workers carry out the work similar in nature being carried out by the Group D employees cannot be entertained. The documents produced by the first party union at EX.W11 series showing that on certain occasions the board utilized the services of these casual workers as watch and ward staff and the work available at

the office side will not come to the rescue of the first party workmen to say that they are the casual workers at office side and therefore, they are not different from other casual workers. The board in case of the exigencies might have utilized the services of certain casual workers working in the field as watch and ward staff and for other purpose but that cannot change the nature of the work basically to be carried out by these casual workers in the farms and in the fields which is just a work agriculture in nature. From Para 15 of the affidavit filed by the management witness, it can be read that about 42 labourers similarly placed as that of the present casual workers in the units of Andhra Pradesh under the control of the management board had filed a writ petition before the Andhra Pradesh High Court seeking regularisation and pay and allowances as admissible to Group D post without regard to qualification. The writ petition was allowed by the Single Judge, upheld by the Division Bench and when it was challenged by the management in SLP 1078/96, their Lordship differed with the view taken from the High Court and the directions given by it for absorption without reference to qualification. A copy of the said decision of the Supreme Court is marked at Ex.M10. Their Lordship in the said decision laid down the principle that employees may be considered for absorption in Grade D subject to available vacancies, provided they come within the purview of the scheme and answer qualifications required under the scheme for entry into Group D service. The direction given by the High Court to absorb the services of these employees without reference to the qualifications prescribed for the posts in question held to be not sustainable. Here again the casual workers working under the management not carrying out the work similar in nature being carried by the Group D employees, they cannot stake their claim seeking application of the above said scheme to confer upon them the temporary status entitling them the service benefits on par with the Group D employees without regard to qualifications and eligibility criteria prescribed by the management under its rules. The contention of the first party that the other autonomous bodies have also implemented the said scheme vide documents at Ex.W12 series does not take their case any further, particularly, in the light of the contention taken by the management that some of these autonomous bodies namely, Coffee Board etc. have implemented the above said temporary status scheme only to the casual workers working on the office side. There is no proof made available to this tribunal by the first party workmen that these autonomous bodies have conferred the temporary status upon its casual workers who were working in the farm or in the fields. Moreover, only because certain other autonomous bodies have implemented the scheme to its casual workers, the management board cannot be compelled to follow the suit. In fact the observation made by his Lordship of Madras High Court at para 3 of the judgment quoted above, would also answer the above said contention taken by the first party workmen. As seen above, the management is justifying its action in not implementing the above said scheme for the reason that it is not bound by the said scheme and for the reason that it has its own scheme framed in the year 1996 with respect to the revision of the wages and service conditions of the

casual workers/time scale farm workers. This fact is not disputed and cannot be disputed by the first party workmen. The fact that the management has got its own scheme has been admitted by WW1 in his cross examination. It has come on record that as per the recommendations of the management committee the wage scale was revised and was given effect to along with other benefits from 01.04.1995. The then existing wage scale of RS.500-10-700 was revised to RS.1200-1700 and that was approved by the Ministry vide letter dated 19.08.1996. It is not in dispute that under the scheme of the management of the year 1996 the casual labourers are eligible for absorption against the Group D post on the basis of seniority subject to fulfilling the eligibility condition prescribed for the post. This scheme rather the criteria adopted by the management board in absorbing the services of the casual labourers in fact got approval by their Lordship of Supreme Court in the above said SLP as noted above.

19. The decision cited on behalf of the first party union, referred to supra, in no way advances the cause of the first party workmen. Learned counsel by citing the said decision wanted to say that the aforesaid scheme of 1993 even has been upheld by the Hon'ble Supreme Court. There is no denial of the said fact. In the aforesaid decision the point involved was whether the scheme was an ongoing scheme or not and whether the casual labourers granted temporary status could be removed from service on whims and fancies of the employer. Therefore, principle laid down in the aforesaid decision in no way are relevant for the purpose to decide the controversy between the parties except to say that the above said scheme as such has got approval by the Apex Court. We are not here to decide whether the same scheme is bad or good. We are concerned to decide the point as to whether the said scheme as such is applicable to the first party workmen. As noted above, the first party workmen namely, the casual labourers working under the board have no right of conferment of temporary status upon them under the above said scheme. The first party union also has not produced any documents worth credence except the statement of WW1 to establish the case that casual workers under the board are entitled for benefits of the aforesaid scheme. There are numerous documents produced by the first party workmen but not useful for the purpose. The documents from EX.W16 to W47 except the document at EX.W17 are the documents which come into existence during the pendency of the present proceedings. Moreover, none of these documents as such will be helping the case of the

first party union so to suggest that the casual workers working under the board have got any right seeking application of the said scheme. Therefore, viewed from any angle in my opinion the first party union has failed to substantiate the claim that the casual workers working under the board have got any right seeking application of the above said temporary status scheme of 1993 and benefits arising thereof. Similarly they cannot have any claim seeking the benefits of the recommendations of the 5th Pay commission which undisputedly, are available only to the regular employees and not to the casual labourers. Moreover, before parting with the case I must appreciate the arguments advanced for the management as to whether in the light of the subsequent events happened during the course of pendency of the present proceedings namely, the implementation of the scheme by the board under the orders of Govt. of India and then the withdrawal of the said scheme under the orders of the Govt. of India and in the light of the writ petitions filed by the casual workers working under the board before the Hon'ble High Court in Writ Petition NO.13557/06 and others challenging the action of Govt. of India will be advisable for this tribunal to give its own finding as to whether the board is justified or not justified in not applying the said scheme to the casual labourers of the board. As noted above, the board has done its job by implementing the scheme but the final authority being vested with the Govt. of India, it was helpless to implement the same and had no alternative but to withdraw the same once again under the orders of the Govt. of India. It is also on record that the board once again has requested this ministry to reconsider the case on application of the scheme to the casual workers working under the board. Therefore, it is under these facts and circumstances of the case and the fact that the very orders of the Govt. of India withdrawing the scheme have been challenged before the Hon'ble High Court, I am afraid if this court can give any finding on the point as to whether the management board is justified or not justified in giving benefits of the said scheme to its casual workers particularly, the authority under which it worked has withdrawn the said scheme after having implemented the same for a while. Therefore, in the light of the above, I find no substance in the claim put forth by the first party union and in the result, the reference deserves to be rejected. Hence the following Award is passed.

AWARD

The reference stands dismissed. No costs.

(Dictated to PA transcribed by her corrected and signed by me on 19th September 2007.)

A. R. SIDDIQUI, Presiding Officer